

ORANGE COUNTY

PLANNING DIVISION

2020-1 SMALL SCALE CYCLE AMENDMENTS

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY
COMMISSIONERS

July 28, 2020
ADOPTION PUBLIC HEARING

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION





Interoffice Memorandum

DATE: July 28, 2020

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager 
Planning Division

THROUGH: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development Services Department

SUBJECT: Adoption Public Hearings – 2020-1 Small-Scale Development
Amendments and, Where Applicable, Concurrent Substantial Change or
Rezoning Requests

Please find the attached binder containing the staff reports and associated back-up materials for the proposed 2020-1 Small-Scale Development Amendments. The adoption public hearings for nine (9) of the Privately-Initiated 2020-1 Small-Scale Development Amendments (2020-1-S-1-1, 2020-1-S-1-2, 2020-1-S-2-2, 2020-1-S-3-2, 2020-1-S-3-4, 2020-1-S-6-2, 2020-1-S-6-3, 2020-1-S-6-4, and 2020-1-S-6-5), and one (1) staff-initiated text amendment (2020-1-S-FLUE-1) were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 5, 2020, and two Privately-Initiated Development Amendments (2020-1-S-2-3 and 2020-1-S-4-1) were conducted before the PZC/LPA on July 16, 2020. All of the above 2020-1 Small-Scale Development Amendments are scheduled before the Board of County Commissioners (BCC) on July 28, 2020. Twelve amendments to the Comprehensive Plan will be considered at the July 28 meeting.

2020-1 Regular Cycle Future Land Use Map Amendment 2020-1-A-4-2 was heard by the BCC on July 7, 2020 but was continued to August 11, 2020. The adoption public hearings for three 2020-1 Regular Cycle Future Land Use Map Amendments (2020-1-A-1-1, 2020-1-A-3-1 with concurrent rezoning case LUP-20-01-004, and 2020-1-A-4-1) and one staff-initiated text amendment (2020-1-B-FLUE-1) will be scheduled for adoption hearings before the BCC at a later date.

Amendment Summary

The 2020-1 Small-Scale Development Amendments scheduled for consideration on July 28 include eleven privately-initiated Future Land Use Map Amendments located in Districts 1, 2, 3, 4, and 6) seven of which (2020-1-S-1-1, 2020-1-S-2-2, 2020-1-S-2-3, 2020-1-S-3-4, 2020-1-S-4-1, 2020-1-S-6-2, and 2020-1-S-6-5) have concurrent rezoning

requests, and one (2020-1-S-1-2) has a concurrent substantial change request. It also includes one staff-initiated text amendment. If the BCC adopts the proposed amendments, the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for any of the amendments.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Gologowski@ocfl.net.

AAV/sw

Enc: 2020-1 Small-Scale Development Amendments – BCC Adoption Binder

c: Christopher R. Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney
Erin Hartigan, Assistant County Attorney
Whitney Evers, Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Gregory Gologowski, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Eric P. Raasch, AICP, Planning Administrator, Planning Division
Read File



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FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

THROUGH: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development Services Department

SUBJECT: Adoption Public Hearings – 2020-1 Small-Scale Development Amendments and, Where Applicable, Concurrent Substantial Change or Rezoning Requests

The 2020-1 **Small-Scale Development** Amendments and, where applicable, concurrent Substantial Change or Rezoning Requests are scheduled for a BCC adoption public hearing on July 28, 2020. The adoption public hearings for nine (9) of the 2020-1 Privately-Initiated Small-Scale Development Amendments (2020-1-S-1-1, 2020-1-S-1-2, 2020-1-S-2-2, 2020-1-S-3-2, 2020-1-S-3-4, 2020-1-S-6-2, 2020-1-S-6-3, 2020-1-S-6-4, and 2020-1-S-6-5), and one staff-initiated text amendment (2020-1-S-FLUE-1) were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 5, 2020, and two Privately-Initiated Development Amendments (2020-1-S-2-3 and 2020-1-S-4-1) were conducted before the PZC/LPA on July 16, 2020. A binder containing the staff reports for the July 28 hearing, including back-up material, has been provided under separate cover. The reports are also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

2020-1 Regular Cycle Future Land Use Map Amendment 2020-1-A-4-2 was heard by the BCC on July 7, 2020 but was continued to August 11, 2020. The adoption public hearings for three 2020-1 Regular Cycle Future Land Use Map Amendments (2020-1-A-1-1, 2020-1-A-3-1 with concurrent rezoning case LUP-20-01-004, and 2020-1-A-4-1) and one staff-initiated text amendment (2020-1-B-FLUE-1) will be scheduled for adoption hearings before the BCC at a later date.

The 2020-1 Small-Scale Development Amendments scheduled for consideration on July 28 include eleven privately-initiated Future Land Use Map Amendments located in Districts 1, 2, 3, 4, and 6) seven of which (2020-1-S-1-1, 2020-1-S-2-2, 2020-1-S-2-3, 2020-1-S-3-4, 2020-1-S-4-1, 2020-1-S-6-2, and 2020-1-S-6-5) have concurrent rezoning

requests, and one (2020-1-S-1-2) has a concurrent substantial change request. It also includes one staff-initiated text amendment. If the BCC adopts the proposed amendments, the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for any of the amendments.

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AAV/sw

Enc: 2020-1 Small-Scale Development Amendments BCC Adoption Binder

c: Christopher R. Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney
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Eric P. Raasch, AICP, Planning Administrator, Planning Division
Read File

2020-1 SMALL-SCALE DEVELOPMENT AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the proposed Second Small-Scale Development Amendments (2020-1) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). The adoption public hearings for nine (9) of the Privately-Initiated 2020-1 Small-Scale Development Amendments (2020-1-S-1-1, 2020-1-S-1-2, 2020-1-S-2-2, 2020-1-S-3-2, 2020-1-S-3-4, 2020-1-S-6-2, 2020-1-S-6-3, 2020-1-S-6-4, and 2020-1-S-6-5), and one staff-initiated text amendment (2020-1-S-FLUE-1) were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 5, 2020, and two Privately-Initiated Development Amendments (2020-1-S-2-3 and 2020-1-S-4-1) were conducted before the PZC/LPA on July 16, 2020. All of the above 2020-1 Small-Scale Development Amendments are scheduled before the Board of County Commissioners (BCC) on July 28, 2020.

Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Yellow	At LPA adoption public hearing
Pink	Following the LPA adoption public hearing (by staff)

The 2020-1 Small-Scale Development Amendments scheduled for consideration on July 28 include eleven privately-initiated Future Land Use Map Amendments located in Districts 1, 2, 3, 4, and 6) seven of which (2020-1-S-1-1, 2020-1-S-2-2, 2020-1-S-2-3, 2020-1-S-3-4, 2020-1-S-4-1, 2020-1-S-6-2, and 2020-1-S-6-5) have concurrent rezoning requests, and one (2020-1-S-1-2) has a concurrent substantial change request. It also includes one staff-initiated text amendment. If the BCC adopts the proposed amendments, the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for any of the amendments.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

2020-1 Small Scale Development Comprehensive Plan Amendments

Privately Initiated Future Land Use Map Amendments

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Parcel ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Rezoner	Staff Rec	LPA Rec
District 1														
2020-1-S-1-1 (Wadina Office Project)	RZ-20-04-068	Paul Wadina	Alison Yurko, Alison M. Yurko, P.A.	28-22-28-6689-13-190	3750 Old Winter Garden Rd.; Generally located south of Old Winter Garden Rd., west of Rowe Ave., north of Market St., and east of Division Ave.	Low Density Residential (LDR)	Office (O)	A-1 (Citrus Rural District)	P-O (Professional Office District)	0.20 gross ac.	Sue Watson	Irina Pashinina	Adopt & Approve with 3 Restrictions	Adopt & Approve with 3 Restrictions (8-0)
2020-1-S-1-2 (Buena Vista Commons)	CDR-20-01-003	Buena Vista Commons LLC (Karam Duggal)	Constance D. Silver, PE Tri3 Civil Engineering	15-24-28-1080-01-000 (portion of)	11444 S. Apopka Vineland Rd; Generally located west of S. Apopka Vineland Rd., south of Lake Buena Vista Woods Blvd., and north of Lake St.	Office (O)	Activity Center Mixed Use (ACMU)	PD (Planned Development District) (Buena Vista Commons Planned Development)	PD (Planned Development District) (Buena Vista Commons Planned Development)	FLUM Amendment: 1.68 gross ac. PD-LUP Substantial Change: 8.52 gross ac.	Maria Cahill	Nate Wicke	Adopt	Adopt (9-0)
2020-1-S-1-3 (Luv n Care)	N/A	Indarjit Singh Kaur Jasbir	Joe Saunders	15-23-28-9340-01-036	8236 Conroy Windermere Rd. Generally located south of Conroy Windermere Rd., west of Cleveland Ave., east of Lincoln Ave., and north of Edmondson Ln.	Rural Settlement 1/1 (RS-1/1)	Office (O) Rural Settlement (RS)	R-CE (Country Estate District)	N/A	0.89 ac.	Maria Cahill			
2020-1-S-1-4 (Sheen Villas)	N/A	Sheen 121, LLC	Doug Kelly	05-24-28-5844-01-210	9905 Winter Garden-Vineland Rd.; Generally located east of Winter Garden-Vineland Rd., south of Lake Sheen Reserve Blvd., and west of Nokay Dr.	Resdru/Planned Development (R/PD)	Resort/Planned Development (R/PD)	R-CE (Country Estate District)	PD (Planned Development District)	4.30 gross ac.	Chris DeManche	N/A	Do Not Adopt	
District 2														
2020-1-S-2-1 (Smith Property)	N/A	David S. Smith	N/A	15-21-28-3280-00-420	616 E. 12th St.; Generally located south of E. 12th St., east of Tilden Ave., north of E. 13th St., and west of S. Christiana Ave.	Low Density Residential (LDR)	Commercial (C)	N/A	N/A	0.53 gross ac.	Chris DeManche	N/A		
2020-1-S-2-2 (Jolieview Place)	RZ-20-04-072	Jolieview, LLC	Junias Desamour	11-21-28-0000-00-058	310 S. Lake Pleasant Rd.; Generally located on the west side of S. Lake Pleasant Rd., north of E. Semoran Blvd., south of Wekiva Crossing Blvd., and east of Semoran Commerce Pl.	Office (O)	Low-Medium Density Residential (LMDR)	P-O (Professional Office District)	R-2 (Residential District)	0.50 gross ac.	Sue Watson	Irina Pashinina	Adopt & Approve	Adopt (9-0) & Approve (8-1)
2020-1-S-2-3 (Kings Landing)	LUP-19-12-418	Kings Landing	Kingdon Church, Inc. Pastor David Jacques	01-22-28-0000-00-009	Generally located on the west side of N. Powers Dr., north of Fox Briar Trl., south of Quarter Horse Ln., and east of Renoir Dr.	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR) (Senior Housing)	A-1 (Citrus Rural District)	PD (Planned Development District) (Kings Landing PD)	8.97 gross ac.	Chris DeManche	Nicolas Thalmueller	Adopt & Approve rezoning, with 16 conditions	Adopt (9-0) & Approve (9-0)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MDHR-Medium High Density Residential; HDR-High Density Residential; PD-Planned Development; INST-Institutional; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; RS 1/5-Rural Settlement 1/5; RS 1/2-Rural Settlement 1/2; RS 1/1-Rural Settlement 1/1; GC-Growth Center; USA-Urban Service Area; WB-Water Body; ACMU-Activity Center Mixed Use; EDU-Educational; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; TRAN-Transportation; A-1-Citrus Rural District; A-2-Farmland Rural District; R-T-Mobile Home Park District; R-CE-Country Estate District; R-1A-Single-Family Dwelling District; R-1-Single-Family Dwelling District; R-3-Multiple-Family Dwelling District; R-2-Residential District; R-T-2-Combination Mobile Home and Single-Family Dwelling District; P-O-Professional Office District; C-1-Retail Commercial District; C-2-General Commercial District; C-3-Wholesale Commercial District; I-1/I-5-Light Industrial District; I-2/I-3-Industrial District; PD-Planned Development District; RZ-Rezoning; LUP-Land Use Plan; CDR-Change Determination Request; SR-State Road; AC-Acres

2020-1 Small Scale Development Comprehensive Plan Amendments

Privately Initiated Future Land Use Map Amendments

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Parcel ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Rezoner	Staff Rec	LPA Rec
District 3														
2020-1-S-3-1 (fka 2019-2-S-3-5) Celenza Property	RZ-20-04-032	Louis Celenza	Louis Celenza	14-28-30-5240-07-071/072/073/074	6425, 6523, 6419, and 6445 Hoffner Ave.; Generally located north of Hoffner Ave., east of Reddit Rd., south of Nassau Ave., and west of Volusia Dr.	Low-Medium Density Residential (LMDR)	Commercial (C)	A-2 (Farmland Rural District)	C-2 (General Commercial District)	6.06 gross ac.	María Cahill	Sapho Vatel		
2020-1-S-3-2 (Valencia College Lane)	CDR-20-02-032	AC Five, LLC	Jon C. Wood	24-22-30-0000-00-005	8751 Valencia College Ln.; Generally located north of Valencia College Ln., west of SR 417, and east of John Wesley Wy.	Planned Development-Commercial (PD-C)	Planned Development-Medium-High Density Residential (PD-MHDR)	PD (Planned Development District) (Valencia College Lane PD/LUP)	PD (Planned Development District) (Valencia College Lane PD/LUP)	7.83 gross ac.	Jennifer DuBois	Nicolas Thalmueller	Adopt	Adopt (9-0)
2020-1-S-3-3 (Carse Property)		Carse Limited Partnership 1	Rebecca Wilson	06-23-30-1432-02-010/030/041	1700 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of Henderson Dr., east of Cloverlawn Ave., and north of Carlton Dr.	Commercial (C) and Low-Medium Density Residential (LMDR)	Planned Development-Commercial/Medium Density Residential (PD-C/MDR)	N/A	N/A	1.74 gross ac.	Sue Watson			
2020-1-S-3-4 (2500 S. Bumby Ave.)	RZ-20-04-074	Palumbo & Bertrand, PA	Elizabeth Bertrand, Palumbo & Bertrand, P.A.	06-23-30-1420-02-011	2500 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.	Low-Medium Density Residential (LMDR)	Office (O)	R-3 (Multiple-Family Dwelling District)	P-O (Professional Office District)	0.17 gross ac.	Sue Watson	Irina Pashinina	Adopt & Approve with 2 Restrictions	Adopt & Approve with 2 Restrictions (9-0)
District 4														
2020-1-S-4-1 (The Gardens at Waterford Lakes)	LUP-20-01-001	707 Woodbury LLC	Carlos A. Rivero	26-22-31-0000-00-014	707 Woodbury Rd.; Generally located south of Lake Underhill Rd., east of Woodbury Rd., north of Woodbury Pines Cr., and west of Lexingtondale Dr.	Low-Medium Density Residential (LMDR)	Medium-High Density Residential (MHR) (Senior Housing)	R-2 (Residential District)	PD (Planned Development District) (The Gardens at Waterford Lakes PD)	1.80 gross ac.	Misty Mills	Nicolas Thalmueller	Do not Adopt & Do not Approve	Do not Adopt (5-3) & Do not Approve (5-3)
District 5														
2020-1-S-5-1 (3210 Rouse Road Retail)	RZ-20-04-063	Olton Properties	StoryBook Holdings, LLC Jose Chaves, P.E.	09-22-31-0000-00-004	3370 Rouse Rd.; Generally located west of Rouse Rd., south of University Blvd., east of Hillmont Cr., and north of Buck Rd.	Medium Density Residential (MDR)	Commercial (C)	R-1A (Single-Family Dwelling District)	C-1 (Retail Commercial District)	5.61 gross/3.98 net developable ac.	Jennifer DuBois	James		
2020-1-S-5-2 (E. Colonial Student Housing)	LUP-20-02-069	KMP Properties LLC, East Colonial Investments, LLC, and Cordner IV, LLC	Dustin Aukland/Tait Brothers Apartment Living	23-22-31-0000-00-004/010/074	12727 E. Colonial Dr.; Generally located north of E. Colonial Dr., west of Bonnevile Dr., and east of Challenger Pkwy.	Commercial (C) and Low-Medium Density Residential (LMDR)	Planned Development-High Density Residential (PD-HDR) (Student Housing)	C-1 (Retail Commercial District) and R-2 (Residential District)	PD (Planned Development District) (E. Colonial Student Housing PD/LUP)	8.17 gross ac.	Jennifer DuBois	Nate Wicke		
District 6														
2020-1-S-6-1 (Hudson Street Urban Nova)	RZ-20-04-061	Primo Homes LLC	Nicholas Alix	25-22-28-4484-11-010; 25-22-28-4484-04-010										
2020-1-S-6-2 (4301 S Rio Grande Ave)	RZ-20-04-067	Adriana I. Hincapie	Rafael Santiago Casallas	10-23-29-6152-04-110	4301 S. Rio Grande Ave.; Generally located east of S. Rio Grande Ave., south of 43rd St., west of S. Nashville Ave., and north of 44th St.	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)	R-1A (Single-Family Dwelling District)	R-1 (Single-Family Dwelling District)	0.30 gross ac.	Jennifer DuBois	John Harbilas	Adopt & Approve	Adopt (8-0) & Approve (9-0)
2020-1-S-6-3 (Waste Pro)	N/A	Waste Pro Southeast	Harland Chadbourne	34-22-29-6316-00-252 (portion of)	1400 S. Orange Blossom Trl. Generally located west of S. Orange Blossom Trl., south of Indiana St., north of W. Miller Ave., and east of S. Rio Grande Ave.	Neighborhood Residential (NR) and Commercial (C)	Commercial (C)	N/A	N/A	1.94 gross ac.	Chris DeManche	N/A	Adopt	Adopt (8-0)
2020-1-S-6-4 (Burrhoughs Drive)	N/A	Virtus North America, LLC	Andrea Cardo, Interplan, LLC	13-22-28-0000-00-044	Generally located south of Burroughs Ct., west of Environs Blvd., east of N. Hiawasse Rd., and north of Silver Star Rd.	Medium Density Residential (MDR)	Commercial (C)	N/A	N/A	1.42 gross ac.	Jennifer DuBois	N/A	Adopt	Adopt (8-0)
2020-1-S-6-5 (Truck Parking)	RZ-20-04-075	Debica Lachman	Debica Lachman	30-22-29-6244-03-050/070	318 and 324 Metcalf Ave; Generally located west of Metcalf Ave., south of W. South St., east of Tremont Ave., and north of Huppel Ave.	Low Density Residential (LDR)	Industrial (IND)	R-1 (Single-Family Dwelling District)	I-2/I-3 (Industrial District)	0.24	Chris DeManche	Sapho Vatel	Adopt & Approve with 2 Restrictions	Adopt & Approve with 2 Restrictions (8-0)

ABBREVIATIONS INDEX:

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2020-1 Small Scale Development Comprehensive Plan Amendments														
Privately Initiated Future Land Use Map Amendments														
Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Parcel ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Rezoner	Staff Rec	LPA Rec
2020-1 Small Scale Development Comprehensive Plan Amendments														
Staff Initiated Comprehensive Plan Text Amendments														
Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)									Project Planner	Rezoner	Staff Rec	LPA Rec
2020-1-S-FLUE-1	Planning Division	Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County									Jennifer DuBois	N/A	Adopt	Adopt (8-0)
2020-1-S-FLUE-2	Planning Division	Text amendment to Future Land Use Element Policy FLU2.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County									Jennifer DuBois	N/A	Adopt	Adopt (7-0)
ABBREVIATIONS INDEX:		ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MDHR-Medium High Density Residential; HDR-High Density Residential; PD-Planned Development; INST-Institutional; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; RS 1/5-Rural Settlement 1/5; RS 1/2-Rural Settlement 1/2; RS 1/1-Rural Settlement 1/1; GC-Growth Center; USA-Urban Service Area; WB-Water Body; ACMU-Activity Center Mixed Use; EDU-Educational; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; TRAN-Transportation; A-1-Citrus Rural District; A-2-Farmland Rural District; R-T-Mobile Home Park District; R-CE-Country Estate District; R-1A-Single-Family Dwelling District; R-1-Single-Family Dwelling District; R-3-Multiple-Family Dwelling District; R-2-Residential District; R-T-2-Combination Mobile Home and Single-Family Dwelling District; P-O-Professional Office District; C-1-Retail Commercial District; C-2-General Commercial District; C-3-Wholesale Commercial District; I-1/I-5-Light Industrial District; I-2/I-3-Industrial District; PD-Planned Development District; RZ-Rezoning; LUP-Land Use Plan; CDR-Change Determination Request; SR-State Road; AC-Acres												

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Privately-Initiated Small Scale Development Future Land Use Map (FLUM) Amendments and Where Applicable, Concurrent Substantial Change or Rezoning Requests

Amendment			Page
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	-and-		
	Rezoning RZ-20-04-068	A-1 (Citrus Rural District) to P-O (Professional Office District)	
2.	Amendment 2020-1-S-1-2 Buena Vista Commons	Office (O) to Activity Center Mixed Use (ACMU)	15
	-and-		
	Substantial Change CDR-20-01-003	Substantial Change Request to the Buena Vista Commons PD to include Activity Center Mixed Use uses for Buildings 1 and 2.	
3.	Amendment 2020-1-S-2-2 Jolieview Place	Office (O) to Low-Medium Density Residential (LMDR)	41
	-and-		
	Rezoning RZ-20-04-072	P-O (Professional Office District) to R-2 (Residential District)	
4.	Amendment 2020-1-S-2-3 Kings Landing	Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing)	59
	-and-		
	Rezoning LUP-19-12-418	A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD)	
5.	Amendment 2020-1-S-3-2 Valencia College Lane	Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR)	81
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	-and-		
	Rezoning RZ-20-04-074	R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District)	
7.	Amendment 2020-1-S-4-1 The Gardens at Waterford Lakes	Low-Medium Density Residential (LMDR) to Medium-High Density Residential (MHDR)(Senior Housing)	109
	-and-		
	Rezoning LUP-20-01-001	<p>R-2 (Residential District) to PD (Planned Development District) (The Gardens at Waterford Lakes PD)</p> <p>Also requested are nine (9) waivers from Orange County Code:</p> <p>1) A waiver from Section 38-1258(a) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 1 story within 100' of single-family zoned property;</p> <p>2) A waiver from Section 38-1258(b) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 3 story or 40' height within 100-150' of single-family zoned property;</p> <p>3) A waiver from Section 38-1258(c) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of a maximum of 3 story within 150' of single-family zoned property;</p> <p>4) A waiver from Section 38-1258(d) to allow 4 story / 60 feet tall multi-family building in lieu of a maximum 3 story building;</p> <p>5) A waiver from Section 38-1258(e) to allow parking and / or paved areas within 10' in lieu of 25' of single-family zoned property;</p> <p>6) A waiver from Section 38-1258(f) to not require a 6' masonry, brick, or block wall adjacent to single-family zoned property;</p> <p>7) A waiver from Section 38-1254(i) to allow setbacks of 20' for rear (east side of property) and 15' for the sides (north and south sides of property) in lieu of 25'. The front setback will be a minimum of 25';</p> <p>8) A waiver from Section 38-1476(a) to allow 1.2 parking spaces in lieu of 1.5 spaces per 1 bedroom unit and 1.7 parking spaces in lieu of 2 spaces per 2 bedroom unit; and</p>	

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		9) A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per three (3) units in lieu of the required one (1) shade tree per unit.	
8.	Amendment 2020-1-S-6-2 4301 S. Rio Grande Ave.	Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)	141
	-and-		
	Rezoning RZ-20-04-067	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)	
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10.	Amendment 2020-1-S-6-4 Burroughs Drive	Medium Density Residential (MDR) to Commercial (C)	165
11.	Amendment 2020-1-S-6-5 Truck Parking	Low Density Residential (LDR) to Industrial (IND)	177
	-and-		
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Staff-Initiated Small Scale Development Amendment.....Tab 3

12.	2020-1-S-FLUE-1 PD Densities and Intensities	Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	191
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Community Meeting Summaries.....Tab 5

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Transportation Analyses.....Tab 7

Environmental Analyses.....Tab 8



Applicant/Owner:
 Alison Yurko, Alison M. Yurko,
 P.A./Paul Wadina

Location:
 3750 Old Winter Garden Rd.;
 Generally located south of Old
 Winter Garden Rd., west of
 Rowe Ave., north of Market St.,
 and east of Division Ave.

Existing Use:
 Vacant

Parcel ID Number:
 28-22-28-6689-13-190

Tract Size:
 0.20 gross acre

The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	Request: Low Density Residential (LDR) to Office (O)
✓ Informational Video Presentation notice was sent May 15, 2020, and will be available to the public until June 4, 2020.	One response in favor was received as of May 26, 2020	Proposed Development Program: To allow for the development of a 1,150-square-foot medical office building.
✓ Staff Report	Recommend adoption of the proposed amendment and approval of the concurrent rezoning request, subject to 2 variances and 3 restrictions	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. Transportation: The subject property is not located within the Alternative Mobility Area (AMA) or along a backlogged/constrained facility. The proposed use will generate 10 p.m. peak hour trips resulting in a net increase of 9 p.m. peak hour trips.
✓ LPA Adoption June 5, 2020	Recommend adoption of the proposed amendment (8-0)	Environmental: The site may be impacted by soil or groundwater resulting from an incident at the Park Ridge Grocery Store across on Rowe Ave. The grocery store property boundary is undergoing assessment and remediation.
✓ PZC Rezoning Hearing June 5, 2020	Recommend approval of the concurrent rezoning request, subject of 2 variances and 3 restrictions (8-0)	Concurrent Rezoning: Yes – RZ-20-04-068
BCC Adoption	July 28, 2020	Request: A-1 (Citrus Rural District) to P-O (Professional Office District)
BCC Rezoning Hearing	July 28, 2020	

SITE AERIAL



FUTURE LAND USE - CURRENT



FUTURE LAND USE - AS PROPOSED



ZONING - CURRENT



ZONING - AS PROPOSED



Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Objectives FLU2.1 and FLU8.2; Policies FLU1.1.4A, FLU1.4.1, FLU1.4.2, FLU1.4.13, FLU2.2.1, FLU8.2.1, FLU8.2.10; and Neighborhood Element Objective N1.1), determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-S-1-1, Low Density Residential (LDR) to Office (O).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Objectives FLU2.1 and FLU8.2; Policies FLU1.1.4A, FLU1.4.1, FLU1.4.2, FLU1.4.13, FLU2.2.1, FLU8.2.1, FLU8.2.10; and Neighborhood Element Objective N1.1), and recommend **APPROVAL** of Rezoning Case RZ-20-04-068, A-1 (Citrus Rural District) to P-O (Professional Office District), subject to the following two (2) variances and three (3) restrictions:

Variances:

1. A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 75 feet, in lieu of the required 85-foot lot width in the P-O zoning district; and
2. A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 8,751 square feet, in lieu of the required 10,000-square-foot lot area in the P-O zoning district.

Restrictions:

1. New billboards and pole signs shall be prohibited; and
2. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of P-O uses; and
3. A Type "D" buffer shall be used to separate Professional Office (P-O) uses from all residential areas, unless a variance to this restriction and buffer is approved by the Board of Zoning Adjustment (BZA). This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type "D" buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.

Analysis

1. Background and Development Program

The applicant, Alison Yurko, Alison M. Yurko, P.A., has requested to change the Future Land Use Map (FLUM) designation of the 0.20-acre site from Low Density Residential (LDR) to Office (O). In conjunction with the FLUM Amendment, the applicant has applied for a rezoning of the site (Case RZ-20-04-068) from A-1 (Citrus Rural District) to P-O (Professional Office District). Due to the site's size, two (2) variances to lot width and area from Orange County Section 38-1501 are also being requested.

The subject parcel is located at the southwest corner of Old Winter Garden Road and Rowe Avenue. Old Winter Garden Road is a four-lane divided road and is classified as a minor arterial roadway. The surrounding area is characterized by a mix of commercial, institutional, office, and residential uses. Park Ridge Grocery Store, now closed but previously used as a convenience store, is located immediately across the street, east of the subject site, at the southeast corner of Old Winter Garden Road and Rowe Road. The now-closed convenience store has a Commercial (C) Future Land Use Map (FLUM) designation and a corresponding C-1 (Retail Commercial District) zoning classification. Residential homes are located south and west of the subject property, and have LDR FLUM designations and possess A-1 and R-1 (Single-Family Dwelling District) zoning classifications. Orlando Health – Health Central Hospital, Orlando Health – Orlando Health UF Health Cancer Center, Orlando Health – Center for Rehabilitation, and other Orlando Health-associated medical office buildings are located across the street on Old Winter Garden Road. These major health care facilities are located within the City of Ocoee. Further east of the subject property, a 7-Eleven convenience store is located at the corner of Old Winter Garden Road and Hempel Avenue. It has a Commercial FLUM designation and a corresponding C-1 zoning classification. A vacant parcel, located approximately 500 feet west of the subject property on Old Winter Garden Road, has an Office FLUM designation and a R-2 (Residential District) zoning classification. Further west of the subject parcel, a medical office park, Citrus Medical & Professional Center, is also located on Old Winter Garden Road. The medical office park is also located within the City of Ocoee.

Currently, the subject property is undeveloped. It is the intent of the property owner, Paul Wadina, a radiologist, to construct a small 1,150-square-foot medical office building if the FLUM Amendment and rezoning requests are approved. The proposed medical office building would be in close proximity to the nearby Orlando Health hospitals and associated medical office buildings, located across the street on Old Winter Garden Road, north of the subject site, and would serve residents in the surrounding West Orange County communities.

A Public Information Presentation, in lieu of a traditional community meeting, was made available to the public on May 15, 2020, and will be available to the public until June 4, 2020.

2. Project Analysis

Consistency

The requested FLUM Amendment and associated rezoning applications appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan and the development pattern of the surrounding area.

The subject property is located at the southwest corner of Old Winter Garden Road and Rowe Avenue. As mentioned above, Old Winter Garden Road is a four-lane divided road and is classified as a minor arterial roadway. Currently, the subject site is undeveloped and is located in an area characterized by a mix of commercial, institutional, office, and residential uses. A now-closed convenience store, Park Ridge Grocery Store, a 7-Eleven convenience store, Orlando Health medical hospitals, professional office buildings, and residential homes are located along Old Winter Garden Road, surrounding the subject site.

The undeveloped site is located within the County's Urban Service Area (USA), and Future Land Use Element **Objective FLU2.1** encourages infill for relatively small, vacant, and underutilized parcels within the County's established core areas in the USA. The proposed FLUM change and associated

rezoning requests are consistent with **Policy FLU2.2.1**, which states that within the USA, Orange County, shall encourage a mix of land uses within activity and mixed-use commercial centers. As established in this policy, office and residential land uses shall be part of the balanced land use mix, in addition to the commercial component. This proposed amendment and associated rezoning are also consistent with **Policy FLU1.1.4.A**, which establishes that office uses may be considered a transitional use between two different types of land use or land use intensities. The Office (O) designation will provide a transitional use between the commercial development to the east along Old Winter Garden Road and the existing single-family homes located south and west of the subject site. Also, the two requests are consistent with **Neighborhood Element Objective N1.1 and Policy FLU1.4.2**, which maintain that Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods. To protect the adjacent residential properties, a Type “D” buffer, consisting of a completely opaque six-foot high masonry wall, berm, planted and/or existing vegetation or any combination thereof, shall be required to separate P-O uses from all adjacent residential uses. The applicant has agreed to provide the required Type “D” buffer. Furthermore, the two requests are consistent with **Policy FLU1.4.1**, which states that the County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community. Lastly, the requested amendment is also consistent with **Policy FLU1.4.13**, which states that health care facilities shall be located along major roads and transit routes to promote accessibility. The subject property is located along a stretch of Old Winter Garden Road classified as a four-lane minor arterial roadway. It is staff’s belief that the proposed small-scale medical office building would serve residents in the surrounding West Orange County communities.

Compatibility

Objective FLU8.2 states that compatibility will continue to be the fundamental consideration in all future land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As mentioned previously, the subject property is located on Old Winter Garden Road, a four-lane divided minor arterial road, and is located in an area characterized by a mix of commercial, institutional, office, and residential uses. Park Ridge Grocery Store, now closed, and a 7-Eleven convenience store are located east of the subject site. Both properties have Commercial Future Land Use Map designations and are zoned C-1. Orlando Health – Health Central Hospital, Orlando Health – Orlando Health UF Health Cancer Center, Orlando Health –Center for Rehabilitation, and other Orlando Health associated medical office buildings are located across the street on Old Winter Garden Road, north of the site. Citrus Medical & Professional Center, a medical office park, is located on Old Winter Garden Road, west of the subject site. To ensure the proposed office development does not disrupt the existing single-family homes to the south and west, the development will be subject to the designed standards outlined within **Policy FLU8.2.10**. These standards include building height restrictions, architectural design compatibility, floor area ratio (FAR) limitations, lighting type and location requirements, tree protection and landscaping requirements, and parking design. These standards shall apply during the subsequent commercial site plan review stage of the project. The small scale professional office development would be compatible with the surrounding area as it would serve as a transition between commercial and residential uses. Therefore, staff recommends approval of Amendment 2020-1-S-1-1, Low Density Residential (LDR) to Office (O) and Concurrent Rezoning Case RZ-20-04-068, A-1 (Citrus Rural District) to P-O (Professional Office District).

Division Comments: Environmental, Public Facilities and Services

Environmental. The project site may be impacted by soil or groundwater contamination resulting from an incident at the Park Ridge Grocery store across Rowe Avenue. The contaminated area extends beyond the grocery store property boundary, and it is undergoing assessment and remediation. No activity will be permitted that may disturb, influence, or otherwise interfere with areas of soil/groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area. Such activities include, but are not limited to, the use of potable or irrigation wells and dewatering. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in Section 376.308, F.S. For more information, contact the Florida Department of Environmental Protection (FDEP) at 407-897-4100 concerning facility ID 489046956.

Utilities. The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 12-inch potable water main within the Old Winter Garden Road right-of-way. Wastewater services are currently not available. An 8-inch gravity sewer main is located near the intersection of Citrus Oaks and Azalea Ridge. Currently, there are no reclaimed water mains in the vicinity of the site.

Transportation. Based on trip generation estimates from the 10th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the maximum allowable development of one (1) single-family dwelling unit based on the current land use designation of Low Density Residential would generate approximately 1 p.m. peak hour trip, while the 1,150-square-foot proposed medical office building under the requested Office future land use designation would generate 10 p.m. hour trips resulting in a net increase of 9 new p.m. peak hour trips.

Analysis of the project trips from the currently approved future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways. However, project trips are well below the 3% significance level on all segments. However, based on the Concurrency Management System Database, not all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

The subject property is not located within the County's Alternative Mobility Area.

The subject property is not located along a backlogged/constrained facility or multimodal corridor.

The allowable development based on the approved future land use will generate 1 p.m. peak hour trip.

The proposed use will generate 10 p.m. peak hour trips resulting in a net increase of 9 p.m. peak hour trips.

The subject property is located adjacent to Old Winter Garden Road, a four-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated March 3, 2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area currently do operate at acceptable levels of service. This information is dated and is subject to change.

Background traffic was developed based on the annual growth rates based on historical AADT within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.

Analysis of short-term (5 year) conditions indicate that all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development, with the exception of Florida's Turnpike from East-West Expressway to Lake County Line, which will fail due to background traffic.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

3. Rezoning Analysis

SITE DATA

Adjacent Zoning	N:	City of Ocoee <i>(Across Old Winter Garden Road)</i>
	E:	C-1 (General Commercial District) (1959)
	W:	A-1 (Citrus Rural District) (1957)
	S:	A-1 (Citrus Rural District) (1957)
Adjacent Land Uses	N:	Vacant Multi-Family
	E:	Retail Convenience Store, Gas Station
	W:	Single-Family Dwelling
	S:	Single-Family Dwelling

APPLICABLE P-O (Professional Office District) DEVELOPMENT STANDARDS

Minimum Lot Area:	10,000 sq. ft.
Minimum Lot Width:	85 ft.
Maximum Building Height:	35 ft.
Minimum Floor Area:	500 sq. ft.

Minimum Building Setbacks

Front:	25 feet
Rear:	30 feet
Side:	10 feet (for one- and two-story buildings, plus 2 for each additional story)
Side (Street):	15 feet

PERMITTED USES

The intent and purposes of the P-O professional office district are:

1. To provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies.
2. To establish standards which will promote high quality site development of individual office structures and larger office centers, both of which are properly oriented towards arterial roads and compatible with adjoining properties.
3. To encourage the provision of professional services at the neighborhood and community levels, and to provide sites large enough to permit landscaped open spaces and off-street parking facilities.
4. To recognize the growing importance of the county as a regional service center and the need to accommodate the increasing service demands of the resident and tourist populations.

A use shall be permitted in the P-O district if the use is identified by the letter "P" in the use table set forth in section 38-77.

SPECIAL INFORMATION

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is located within a Occoee Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Water / Wastewater / Reclaim

Existing service or provider

Water:	Orange County Utilities	12-inch watermain is located within Old Winter Garden right-of-way
Wastewater:	Orange County Utilities	The nearest wastewater connection is an 8-inch gravity main and 4-inch forcemain located near the intersection of Azalea Ridge and Citrus Oaks
Reclaimed:	Orange County Utilities	Not currently available

Schools

Orange County Public Schools (OCPS) did not comment on this case as it does not involve an increase in residential units or density.

Parks and Recreation

Orange County Parks and Recreation did not comment on this case as it does not involve an increase in residential units or density.

Code Enforcement

No code enforcement issues.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Policy References

OBJ FLU2.1 – INFILL. Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County’s established core areas in the Urban Service Area.

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.4 (A) OTHER URBAN RELATED OPTIONS – The following are non-residential Future Land Use designations that are predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within OBJ FLU6.2.)

FLUM Designation	General Description	Density/Intensity
Urban Non-Residential – Predominantly urban in use		
Office (O)	Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities.	1.25 FAR

FLU1.4.1 – Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 – Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

FLU1.4.13 – Primary government offices, colleges, universities, and health care facilities shall be located within Activity Centers or along major roads and transit routes to promote accessibility.

FLU2.2.1 – Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component.

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.10 – To ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- A. Building height restrictions;
- B. Requirements for architectural design compatible with the residential units nearby;
- C. Floor area ratio (FAR) limitations;
- D. Lighting type and location requirements;
- E. Tree protection and landscaping requirements including those for infill development; and
- F. Parking design.

OBJ N1.1 – Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

Site Visit Photos

Subject Site



North

South

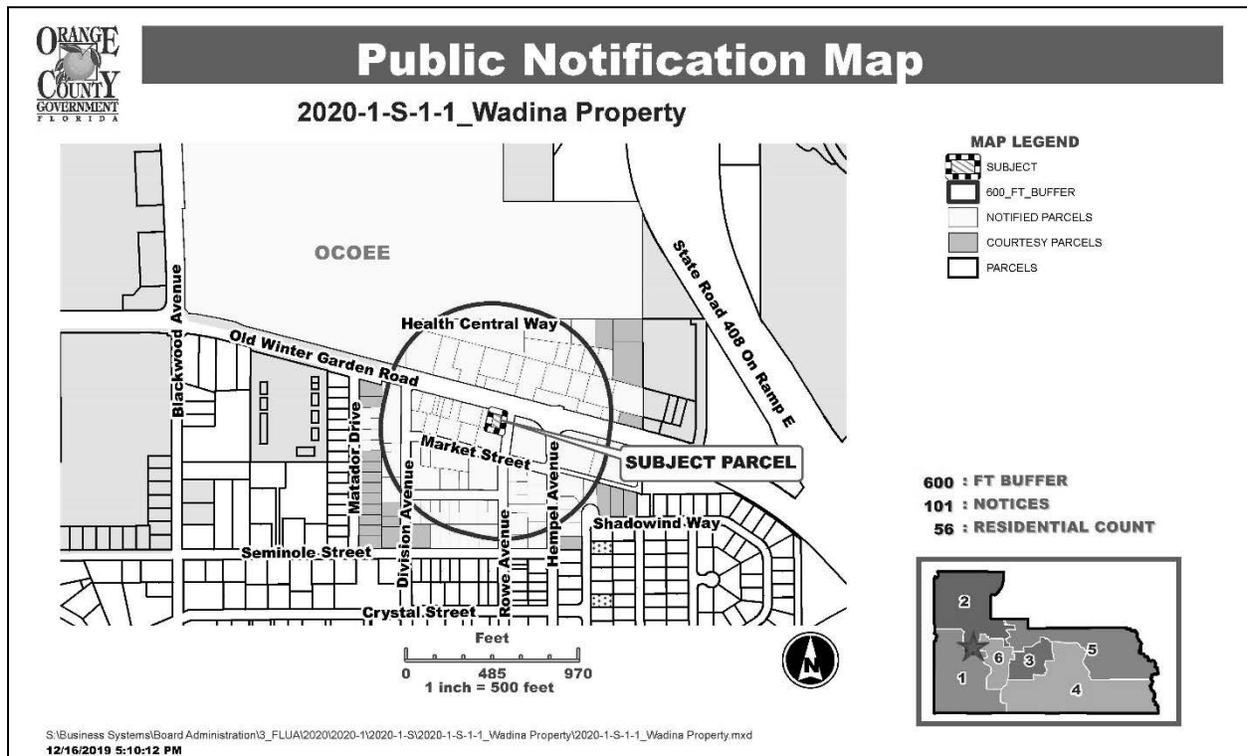


East

West



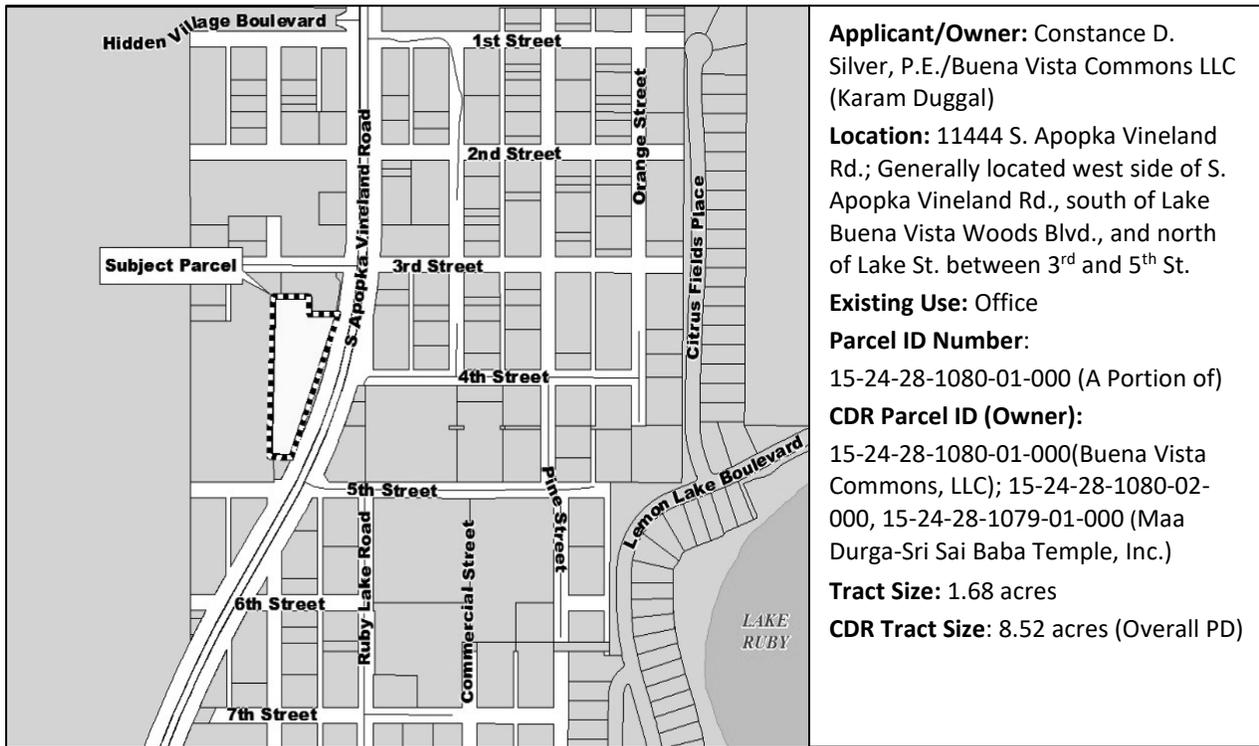
PUBLIC NOTIFICATION MAP



Notification Area

600 feet plus neighborhood and homeowners’ associations within a one-mile radius of the subject site

101 notices sent



Applicant/Owner: Constance D. Silver, P.E./Buena Vista Commons LLC (Karam Duggal)

Location: 11444 S. Apopka Vineland Rd.; Generally located west side of S. Apopka Vineland Rd., south of Lake Buena Vista Woods Blvd., and north of Lake St. between 3rd and 5th St.

Existing Use: Office

Parcel ID Number:
 15-24-28-1080-01-000 (A Portion of)

CDR Parcel ID (Owner):
 15-24-28-1080-01-000 (Buena Vista Commons, LLC); 15-24-28-1080-02-000, 15-24-28-1079-01-000 (Maa Durga-Sri Sai Baba Temple, Inc.)

Tract Size: 1.68 acres

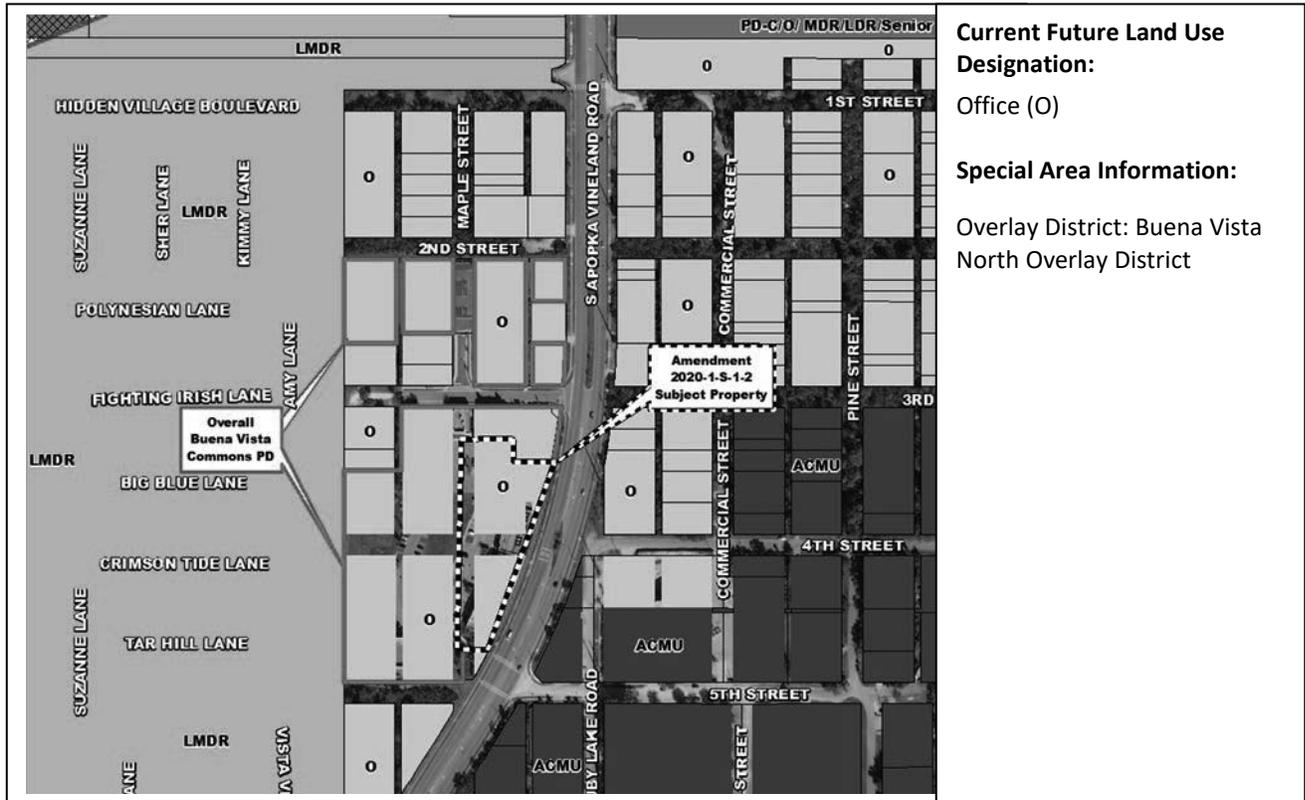
CDR Tract Size: 8.52 acres (Overall PD)

The following meetings and hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome		
<p>✓ The Community Meeting for 2020-1-S-1-2 was held February 18, 2020 with 21 attendees.</p> <p>Community Meetings (CM) for withdrawn amendment 2013-2-S-1-2 (Buena Vista Commons PD) were held August 21 and October 3, 2013 with 98 and 58 attendees, respectively.</p>	<p>Mixed (2020-1-S-1-2). See CM summary, public notification map for notice area below.</p> <p>Negative (2013-2-S-1-2)</p>	<p>Request: From Commercial (C) to Activity Center Mixed Use (ACMU)</p>	
<p>✓ Staff Report</p>	<p>Recommend Adoption</p>	<p>Concurrent Rezoning: PD (Planned Development District) CDR (Change Determination Request): CDR-20-01-003 (Buena Vista Commons PD) received DRC approval on April 22, 2020. Scheduled to be considered concurrent with the plan amendment adoption public hearing on July 28, 2020.</p>	
<p>✓ LPA Adoption June 5, 2020</p>	<p>Recommend Adoption (9-0)</p>	<p>Proposed Development Program: The ACMU allows a floor area ratio of 3.0 or up to 219,542 square feet of non-residential uses. The ACMU also allows hotel/motel lodging of 60 rooms per acre and up to 30 dwelling units per acre with a maximum of 30% of the site in residential use.</p>	
<p>BCC Adoption BCC Rezoning Hearing</p>	<p>July 28, 2020</p>	<p>Public Facilities and Services: Please see Public Facilities Analysis Appendix for specific analysis on each public facility.</p> <p>Transportation: Roadways within impact area currently operate at an acceptable level of service. In the 5-year short term, segments of Winter Garden-Vineland Rd. are expected to fail due to background traffic growth and the added project trips. Approval may require a proportionate share payment.</p>	

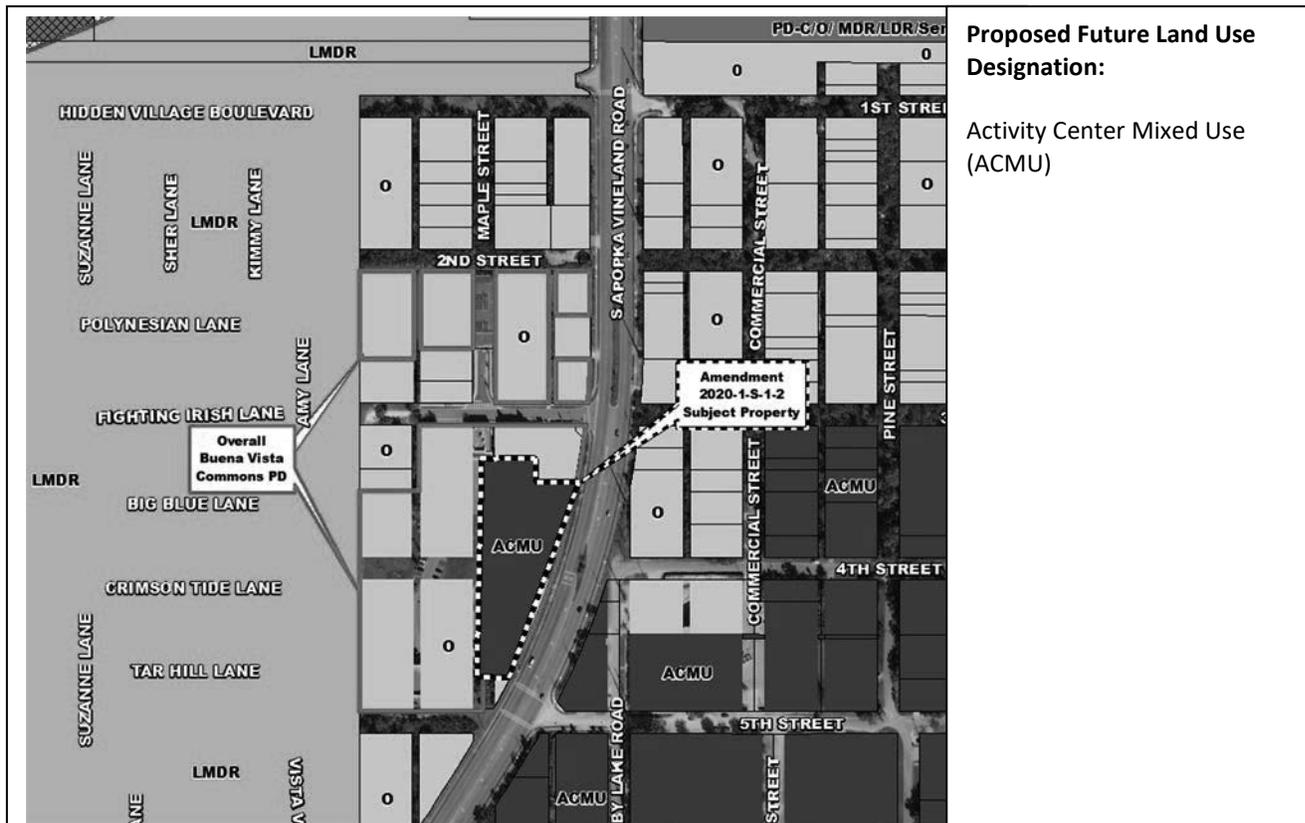
AERIAL



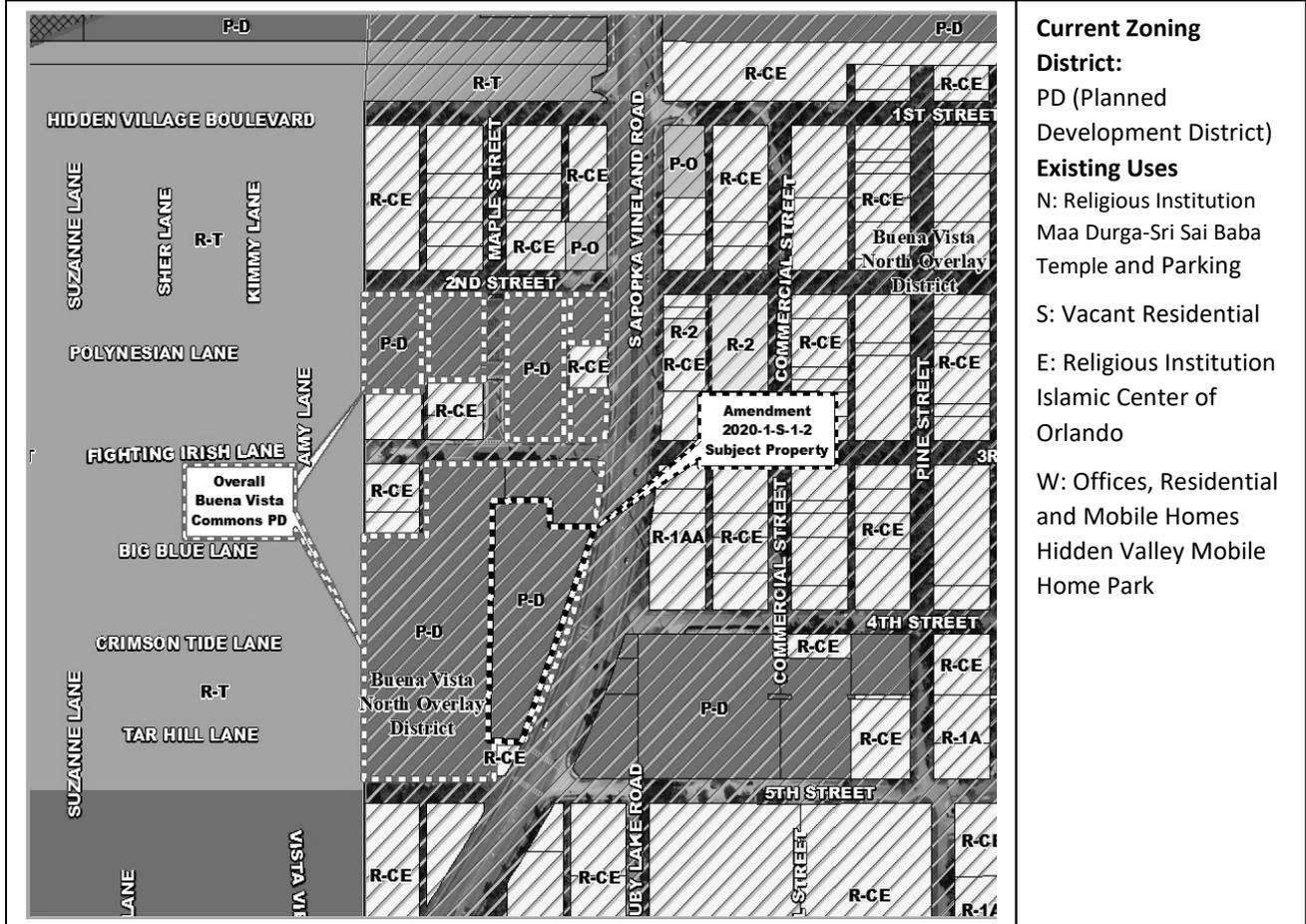
FUTURE LAND USE - CURRENT



FUTURE LAND USE - AS PROPOSED



ZONING – CURRENT



Current Zoning District:
 PD (Planned Development District)

Existing Uses
 N: Religious Institution
 Maa Durga-Sri Sai Baba Temple and Parking

S: Vacant Residential

E: Religious Institution
 Islamic Center of Orlando

W: Offices, Residential and Mobile Homes
 Hidden Valley Mobile Home Park

Staff Recommendation

FUTURE LAND USE MAP AMENDMENT: Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Objective FLU1.4 and Policies FLU1.4.3, FLU1.4.10, FLU1.4.21, FLU8.2.1, and FLU8.2.11, Neighborhood Objective N1.1 and International Drive Policy ID1.1.2), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-1-2, **Office (O)** to **Activity Center Mixed Use (ACMU)**.

CHANGE DETERMINATION REQUEST: CDR-20-01-003: (April 22, 2020 DRC Recommendation) Make a finding of consistency with the Comprehensive Plan and **APPROVE** the Buena Vista Commons Planned Development/Land Use Plan (PD/LUP), dated "Received May 15, 2020", subject to the following conditions:

1. Development shall conform to the Buena Vista Commons Land Use Plan (LUP) dated "Received May 15, 2020," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received May 15, 2020," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of

state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. The following ACMU uses shall be prohibited:

- a. Hotel / Motel / Timeshare
- b. Residential
- c. Liquor Stores
- d. Pawn Shops
- e. Sporting Goods
- f. Firearm Sales
- g. Tabaco Shops
- h. Fuel Dealers
- i. News Stands
- j. Furniture / Appliance / Carpet Stores
- k. Muffler Shops
- l. Cocktail Lounges / Pubs / Bars
- m. Crematories
- n. Amusement Centers
- o. Night Clubs
- p. Conference Centers
- q. Health Spas
- r. Car Rental Agency
- s. Automotive Service Stations

- t. Car Wash
- u. Warehouse
- v. Maid Services
- w. Appliance Rental
- x. Auto / Lube Shops
- y. Miscellaneous Repair Services
- z. Pest Control

7. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated July 19, 2016 shall apply:

a. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan approval and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

b. The following waivers from Orange County Code are granted:

1) A waiver from Section 38-1272(d) to permit sixty-six (66) grass (unimproved) parking spaces on PD Lot 3 for Religious Institutions and Religious Institution Ancillary uses; however, the drive isles shall be paved.

2) A waiver from Section 38-1477 to allow for shared parking between Lots 1, 2 and 3 of the PD, in lieu of the requirement that parking spaces for a land use be provided on the same lot or within 300 feet of the principal entrance as measured along the most direct pedestrian route.

3) A waiver from Section 38-1479(a) to permit sixty-six (66) grass (unimproved) parking spaces on PD Lot 3 for Religious Institutions and Religious Institution Ancillary uses; however, the drive isles shall be paved.

c. PD Lot 3 shall be used for ancillary religious uses and shared parking only.

8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 21, 2015, shall apply:

a. The following waivers from Buena Vista North District Standards found in Orange County Code Chapter 38, Division 9, Subdivision II (Site Development) and Subdivision V (Signage) are granted:

1) A waiver from Orange County Code Section 38-1392.1 to allow a minimum zero (0) foot side setback (internal to the PD) from a thoroughfare roadway facility for existing building #1 only as identified on the Master Sign Plan; in lieu of the required ten (10) foot side setback and twenty (20) foot setback from a thoroughfare roadway facility;

2) A waiver from Orange County Code Section 38-1395.2(1) to allow monument Ground Sign #1 as identified on the Master Sign Plan to have a maximum copy area of one-hundred fifty-two (152) square feet; in lieu of a maximum copy area of ninety-six (96) square feet; and

- 3) A waiver from Orange County Code Section 38-1385.2(2) to allow wall signage on both the eastern and western side of buildings #1 and #2 as identified on the Master Sign Plan, by considering both sides to be primary facades; in lieu of only allowing wall signage on the western side of the buildings, where the customer entrances are located.
- b. The following waivers from Orange County Code Section 31.5-67(g) related to minimum ground sign right-of-way setbacks are granted:
 - 1) A waiver to allow Ground Sign #1 as identified on the Master Sign Plan to have a minimum one (1) foot right-of-way setback from 3rd Street and a minimum eight (8) foot right-of-way setback from S. Apopka Vineland Road; in lieu of a minimum ten (10) foot right-of-way setback;
 - 2) A waiver to allow the relocated temple sign as identified on the Master Sign Plan to have a minimum eight (8) foot right-of-way setback from S. Apopka Vineland Road; in lieu of a minimum ten (10) foot right-of-way setback; and
 - 3) A waiver to allow Ground Sign #3 as identified on the Master Sign Plan to have a minimum five (5) foot right-of-way setback from 3rd Street, in lieu of a minimum ten (10) foot right-of-way setback.
 - 4) A waiver from Orange County Code Section 31.5-67(i) is granted to allow multi-tenant Ground Sign #1 as identified on the Master Sign Plan to have a minimum of ten (10) square feet of copy area per tenant; in lieu a minimum of twelve (12) square feet of copy area per tenant.
 - c. Wall signage shall only be externally lit by goose neck type lighting fixtures on buildings 1 and 2 facing Apopka Vineland Road.
 - d. Wall signage on Apopka-Vineland Road shall be limited to eighteen (18) inch letter size.
 - e. All internal lit signs shall only be lit from dusk to 11:00 p.m.
 - f. There shall be no wall signage allowed on the west face of building 4 (side facing residential Hidden Valley).
 - g. Approval of this PD/LUP (lot reconfiguration) will constitute approval of a lot split.
 - h. No permits shall be issued for sign #1 until the property has been re-configured through Orange County Property Appraiser's office to match the lot split that adjusts the lot line for the existing temple building back from the right-of-way line and the existing Temple sign relocation.
 - i. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan, Buena Vista North and Chapter 31.5 code unless waivers have been explicitly granted by the Board of County Commissioners.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 14, 2014, shall apply:

- a. The restaurant shall not be occupied before 6:00 a.m. and after 11:00 p.m. (7 days per week). The hours of operation for any child care facility shall be limited to 6:00 am - 8:00pm (7 days per week).
- b. With the exception of Buildings 1 and 2, development shall be limited to Professional Office (PO) uses and the following four (4) uses: Church, Restaurant (no drive-thru), Community Center, Fitness Center, Martial Arts and Miscellaneous Aerobic Type Instruction.
- c. A 6' PVC fence (on the berm) 10' from the west property line next to the Hidden Valley Mobile Home Park. The 10' buffer shall be planted with a hedge 30" in height at planting, and canopy trees (not oak trees) planted 40' on center. A 6' PVC fence shall be provided along the north property line next to the residential and planted with canopy trees planted 40' on center. A 6' PVC fence shall be provided along 5th Street. Landscaping shall be irrigated and maintained by the owner or Property Owners' Association of this center.

10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 24, 2011, shall apply:

- a. A Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first (Preliminary Subdivision Plan/Development Plan) PSP/DP. The MUP must be approved prior to Construction Plan approval.
- b. The Developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
- c. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
- d. Outdoor sales, storage and display shall be prohibited.
- e. Developer to provide a fifty (50) foot natural buffer to be maintained along the existing residence located to the northwest of the subject property and south of 3rd Street, until the said residential is rezoned to a non-residential use.
- f. Full access shall be maintained at 5th Street and Apopka-Vineland Road.
- g. Developer shall work with the property owner to the west (on 3rd Street) to limit access issues.

Analysis

1. Background and Development Program

The applicant, Constance Silver P.E., has requested to change the Future Land Use Map (FLUM) designation on a portion of the subject property from **Office (O)** to **Activity Center Mixed Use (ACMU)**. The portion of the property subject to the FLUM amendment is approximately 1.68 acres in size and includes Buildings 1 and 2 of Lot 1 within the Buena Vista Commons Planned Development (PD) fronting S. Apopka Vineland Rd.

The site is currently zoned PD (Planned Development District). A PD Change Determination Review (CDR) **CDR-20-01-003** request would add ACMU uses to the PD for existing Buildings 1 and 2 of Lot 1 only. Buildings 1 and 2 of Lot 1 are currently used for Office uses. The Development Review Committee approved the request on April 22, 2020.

The petitioned parcel is located on the west side of S. Apopka Vineland Rd., south of Lake Buena Vista Woods Blvd., and north of Lake St. between 3rd and 5th St.

The current Future Land Use designation of Office (O) allows up to 91,476 square feet of office uses on 1.68 acres. Within the 1.68 acre boundary of the parcel, there are two existing buildings totaling 17,611 square feet. The buildings are referenced as Building 1 and 2. As of this writing, both buildings contain space that has not been leased due to land use restrictions prohibiting commercial and retail land uses.

The applicant is proposing to change the Future Land Use Map designation to **Activity Center Mixed Use (ACMU)** which allows a mix of tourist-related development and supportive residential activity. The ACMU allows a floor area ratio of 3.0 or up to 219,542 square feet of non-residential uses on 1.68 acres. The ACMU also allows hotel/motel lodging of 60 rooms per acre and up to 30 dwelling units per acre with a maximum of 30% of the site in residential use.

The applicant is proposing as part of the PD **CDR-20-01-003** to prohibit otherwise allowable ACMU uses, including: hotel/motels and timeshare lodging, residential uses and certain specified non-residential land uses. The CDR request is limited to 17,611 square feet of the allowable ACMU non-residential uses within Building 1 & 2 of Lot 1 only. No waivers are associated with the request.

The Buena Vista Commons PD is comprised of two platted lots, as recorded in Plat Book 78, Page 50 of the Public Records of Orange County. Professional Office Buildings currently occupy Lot 1, while a religious institution, the Maa Durga-Sri Sai Baba Temple, presently occupies Lot 2. The Buena Vista Commons PD was originally approved May 24, 2011 (See LUP-10-11-219) The PD was expanded with the addition of fourteen (14) parcels totaling 2.59 acres that were combined in 2015 to create Lot 3 for more parking and to add a 3,800 square foot temple priest residence (see LUPA-15-08-240).

Today, the Buena Vista Commons PD consists of 8.52 acres with development entitlements of 57,161 square feet of professional office uses, including church (temple), restaurant (*no drive-thru*), child day care facility, community center, fitness center, and temple priest residence. As previously stated with the CDR-20-01-003, the applicant would allow certain Activity Center Mixed Use (ACMU) uses for Buildings 1 and 2 of Lot 1 of the Buena Vista Commons PD.

Orange Center Land Use Study (May 1999) and Buena Vista North Overlay District

The subject property received its current Office future land use designation via the November 16, 1999 adoption of Future Land Use Map Amendment #99-2-B-1-1, a staff-initiated proposal to adopt future land use designations consistent with the findings of the Orange County Planning Division's May 1999 Orange Center Land Use Study. That study focused on a 226-acre area in southwest Orange County along the Apopka-Vineland Rd. corridor, situated at the fringe of the intense tourist commercial development and attractions of the Lake Buena Vista/Walt Disney World area.

The study evaluated land uses to identify appropriate transitional uses between tourist-oriented Lake Buena Vista and existing and planned single-family residential development to the north of the defined study area boundary. The adoption of Future Land Use Map Amendment #99-2-B-1-1 assigned future land use designations to those parcels within the study area in accordance with Amended Alternative Plan "B". Those parcels (including the subject site) receiving the Office future land use designation created an area of transition between the higher-intensity ACMU-classified properties to the south and the Low-Medium Density Residential (LMDR) categorized land to the west.

As stated in Future Land Use Element Policy **FLU1.1.4 (F)**, the ACMU designation provides for a mix of tourist-related development (including commercial, office, industrial, and hotel/motel/timeshare components) and supporting residential activity at a maximum density of 30 units per acre. In contrast, the LMDR classification allows for residential development at a maximum density of ten units per acre, as established in Policy **FLU1.1.2 (B)**. Office uses, in accordance with Policy **FLU1.1.4(A)**, include freestanding professional office and office park-style development and may be considered as a transitional use between two different types of land uses or land use intensities.

As an outgrowth of the Orange Center Study and the adoption of Amendment #99-2-B-1-1, the Buena Vista North Overlay District was created. Approved by the Board of County Commissioners on February 13, 2001, the overlay district extends beyond the Orange Center study area boundary—encompassing additional parcels to the east—and furthers the Orange Center Study's purpose of promoting a diverse mixed-use community while ensuring an area of transition between high-intensity tourist-oriented development and lower-intensity single-family residential activity. The Buena Vista North design standards established in Ordinance 2001-04 and subsequently codified as Article VIII, Division 9 of the Orange County Code require proposed projects within the overlay district boundary to develop under the Planned Development zoning classification and regulate such matters as minimum lot size, setbacks, building height, architectural design, signage, lighting, landscaping and buffering, street design, access management, parking lot design, and utility service.

Planned Development (PD) and Development Program

On June 7, 2011, the Orange County Board of County Commissioners approved the creation of the Buena Vista Commons PD through the rezoning of the then 5.93-acre subject property from R-CE (Country Estate District) to PD (Planned Development District) (Case LUP-10-11-219). As established on the associated PD Land Use Plan (LUP), the site was originally approved for up to 62,431 square feet of development, including those uses permitted within the P-O (Professional Office) zoning district—including a 16,056-square-foot assisted living facility and a 3,000-square-foot child day care center—plus the additional uses of religious institutions (expansion of the existing temple),

community centers, physical fitness facilities (health spas, exercising centers, aerobic centers, and yoga studios), and restaurants with no drive-through or walk-up windows.

The DRC administratively approved a non-substantial change to the LUP (Case CDR-12-12-260) on February 13, 2013, that eliminated the assisted living facility and increased the square footage of the day care center from 3,000 to 10,000 square feet, reducing the project's total gross leasable area to 54,150 square feet, and increasing the parking from 206 to 213. A change determination to the present PD Land Use Plan (CDR 13-06-154) was approved to allow martial arts as an approved use within the project boundary.

The latest substantial change to the PD Land Use Plan added 2.59 acres to create Lot 3 of the Lake Buena Vista Commons PD for a 3,800 square foot temple priest residence and additional parking (See PD Land Use Plan Amendment, LUPA 15-08-240, was approved in 2015.

At present, those uses permitted within the P-O (Professional Office) zoning district are allowed within the Buena Vista Commons PD, as well as religious institutions/temple priest residence, community centers, physical fitness facilities (including a yoga studio, martial arts studio), and restaurants with no drive-through or walk-up windows. Although Development Plan (DP) approvals have been granted by the DRC, they were issued only in accordance with the PD's current entitlements as summarized below.

Buena Vista Commons PD Land Uses

Existing Temple	9,667 sq. ft. (Lot 2)
Building 1	8,800 sq. ft. (Lot 1)
“ “ 2	8,811 sq. ft. “ “
“ “ 3	10,000 sq. ft. “ “
“ “ 4	13,146 sq. ft. “ “
“ “ 5	2,937 sq. ft. “ “
<u>Sub-Total</u>	<u>54,150 sq. ft. (Lots 1 & 2, 5.93 ac.)</u>
<u>Temple Residence</u>	<u>3,800 sq. ft. (Lot 3, 2.59 ac.)</u>
Total Square Feet (sq. ft.)	57,161 sq. ft. Total Acres (ac) 8.52 ac.

It is the applicant's intent to amend the PD Land Use Plan concurrent with this new Small Scale plan amendment request to allow basic services commonly used by both Residential and Office land uses. The type of services may include eyeglass store, pharmacies, hardware stores, clothing stores, nail salons, and private tutoring that are currently prohibited under the Office land use. A list of prohibited uses is proposed to be incorporated into the Land Use Plan amendment that will be considered concurrently with the Small Scale plan amendment by the BCC. The prohibited uses include liquor stores, pawn shops, tobacco shops, appliance rentals, night clubs and amusement centers. The amount of development entitlements are proposed to remain the same (as summarized above).

Community Meeting Summaries

Two community meetings were held for an earlier proposed amendment, 2013-2-S-1-2 (Buena Vista Commons PD) which was withdrawn prior to the BCC adoption public hearing.

At the community meeting of August 21, 2013, 98 attended with most recorded as opposed to the request. During this meeting, opponents voiced concerns about the compatibility of commercial development with neighboring residential uses (most significantly, the neighbors in the abutting Hidden Valley Mobile Home Park), the project's incompatibility with the purpose and intent of the Orange Center Study, traffic on Apopka-Vineland Rd., existing access management issues, stormwater retention, and safety. Due to the nature of the meeting, the applicant was directed to create a list of desired permitted and prohibited commercial uses for the site and staff was instructed to schedule a second community meeting at which this list could be discussed.

On October 3, 2013, the applicant returned with a list of selected C-1 uses that, in the owner's opinion, would complement the currently-approved office uses, as well as a list of land uses that would be prohibited within the project boundary. The applicant also presented an alternative conceptual plan that would reduce the requested ACMU acreage from the entirety of the Buena Vista Commons PD between S. Apopka-Vineland Rd. and the center line of the vacated Maple Street right-of-way. The commercial uses would be concentrated along S. Apopka-Vineland Rd., with the remainder of the PD retaining its Office future land use designation and solely restricted to the PD's presently-permitted uses. The applicant argued that an area of transition would thus be maintained between the higher-intensity commercial activity and neighboring residential development. Neither the narrowed list of desired commercial uses nor the potentially-reduced ACMU acreage, however, was well-received by the 58 members of the public in attendance. As with the previous community meeting, attendees were vocal in their opposition, citing concerns about incompatibility with adjacent residential development, the potential future approval of similar ACMU requests for surrounding Office-designated parcels, possible drainage and stormwater retention issues, noise and light pollution, traffic, and access management.

The proposal was subsequently withdrawn.

More recently for the review of the current amendment 2020-1-S-1-2, a Community Meeting was held on February 18, 2020, at Sand Lake Elementary School. Although fewer in attendance than previous meetings and with a mixed response, twenty-one (21) attendees continued to express some concerns related to the proposed uses, lighting, buffering, traffic, intersection signalization, access, and property maintenance.

2. Project Analysis

Consistency

The requested FLUM Amendment appears to be consistent with the applicable goals, objectives, and policies of the Comprehensive Plan. The site is located within an area characterized by a mix of office, religious, residential development and tourist-related development. The proposed FLUM Amendment to change the site from Office (O) to Activity Center Mixed Use (ACMU) would be consistent with the adjacent future land use designation. The applicant is retaining the adjacent office use on Lot 1 to provide a transition between the ACMU and the mobile home park to the west. ACMU land use designations already exist adjacent to and across the street from the Buena Vista Commons PD. The applicant's request to amend the future land use map for that portion of the PD encompassing the 1.68 portion of Lot 1 only will not only maintain the existing office uses to the west but serve as a buffer to the existing residential uses to the west.

Future Land Use **Objective FLU1.4** establishes location and development criteria of urban land uses to encourage compatibility of non-residential uses with existing neighborhoods. Policy **FLU1.4.21** encourages the use of land within the Urban Service Area for redevelopment to improve existing conditions on-site. Although this policy is primarily directed toward improving conditions for Industrial land it applies in this circumstance where the office buildings remain vacant and underutilized.

This request is also consistent with **Goal 1** of the International Drive Element of the Comprehensive Plan to promote the economic viability of the development, and **Policy ID1.1.2** to encourage transit and pedestrian transportation within the Activity Center by providing a balance between projected density and intensity and mixture of land uses and planned infrastructure. As stated in the application, the ACMU will be within walking distance of residential, and permitting ACMU will provide a balanced mixture of land uses within the PD development that today is primarily office land uses.

The proposed FLUM amendment appears to be consistent with the applicable Comprehensive Plan goals, objectives, and policies—as well as with the intent of the 1999 Orange Center Study. The subject site is located along a stretch of S. Apopka-Vineland Rd. characterized by religious institutional activity, single-family residential home-sites, small professional office uses, tourist-related uses and vacant land. The property is bounded to the west by the Hidden Valley Mobile Home Park, a 302-unit community, and a single-family dwelling, while the Islamic Society of Orlando, vacant offices and ACMU uses lies to the east, and the temple, temple residence and parking to the north.

Development of the site in accordance with the currently-approved Buena Vista Commons PD Land Use Plan and the present Office future land use designation is appropriate for the area in question. Approval of the requested change in land use to ACMU for a portion of Lot 1 would retain the Office future land use adjacent to the residential. An amendment to the PD Land Use Plan allowing certain ACMU and commercial land uses while prohibiting others would only apply to Buildings 1 and 2 directly fronting S. Apopka Vineland Rd.

Future Land Use Element Policy **FLU1.1.4 (A)** establishes that freestanding professional office and office park-style development may be considered a transitional use between two different types of land uses or land use intensities. The subject property's current Office and proposed change to ACMU future land use designation and the Buena Vista Commons PD's proposed mix of uses meet the intent of this policy. In addition, they are in keeping with the findings of the Orange County Planning Division's 1999 Orange Center Land Use Study and the subsequent adoption of Future Land Use Map Amendment #99-2-B-1-1, which maintains the assigned the Office future land use designation to a portion of the subject and neighboring properties and effectively created an area of transition between the higher-intensity ACMU-classified parcels on Lot 1 to the south and the LMDR-categorized land to the west.

The proposed amendment is consistent with Comprehensive Plan **Policy FLU1.4.3**, which states that the location of commercial development shall be concentrated at major intersections and within Activity Centers and Neighborhood Activity Nodes within the Urban Service Area (USA), although the request is potentially inconsistent with **Policy FLU1.4.10**, which establishes that strip commercial land use patterns shall be avoided. Strip commercial land uses shall be defined as commercial uses adjacent to roadways that are located outside the reasonable zone of influence of the intersection to which they relate. The requested FLUM amendment, and the applicant's intent to incorporate a commercial component into the Buena Vista Commons PD for the existing buildings would not

constitute strip commercial development as **Policy FLU1.4.10** further states that strip commercial land uses do not include outparcels in shopping centers, malls, or *similar developments (emphasis added)* where access is provided internally from the shopping center/mall or *similar development*, or via a system of shared or common driveways. Access to Buildings 1 and 2 is via 3rd St internal to S. Apopka-Vineland Rd.

Approval of the proposed Future Land Use Map Amendment and the owners' intent to subsequently introduce commercial uses into the Buena Vista Commons PD immediately fronting S. Apopka Vineland Rd. should not set a precedent for the approval of similar requests from the owners of neighboring Office-designated parcels because they are proposing to maintain the transitional use of office adjacent to the residential and ACMU already exist adjacent to the parcel.

Compatibility

The proposed FLUM amendment appears to be compatible with the development pattern of the surrounding area. Future Land Use Element **Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As the aerial photograph of the subject property and neighboring area shows, the subject site is located along a section of S. Apopka-Vineland Rd., which—while classified as an Urban Class 1 arterial roadway—is characterized by religious institutional activity, single-family residential homesites, professional office uses, tourist-related uses and vacant land.

Objective N1.1 states that Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods. Development of the property under its present Office future land use designation and in accordance with the currently-approved Buena Vista Commons PD Land Use Plan is appropriate for this area. Approval of the requested amendment and the subsequent introduction of commercial uses onto the site would result in the addition of ACMU future land use surrounded by Office- and other ACMU-designated parcels. Therefore, approval of commercial uses within Buildings 1 and 2 while maintaining office uses as a transition would be compatible with the lower-intensity residential uses currently in existence on those neighboring properties. In addition, the applicant has indicated the intention to create a list of prohibited commercial uses, which would be established on the PD Land Use Plan, making this requested amendment appropriate for the area.

According to **Policy FLU8.2.1**, land use changes shall be compatible with existing development and the development trend in the area. The subject site is located in an area characterized by a mixture of ACMU uses, office uses and residential uses. **Policy FLU8.2.11** states compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it and other factors may be considered, such as design attributes, urban form, physical integration, and the project's function in the broader community.

Public Facilities and Services Analysis

Environmental Protection Division

The Environmental Protection Division has reviewed the proposed amendment and provided no comments or concerns at this time.

Transportation Planning Division

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowance: 17,611 SF Professional offices (per consultant study)	22	92%	20
Existing Use: professional offices			
Proposed Use: 219,542 sq. ft. of non-residential; PD rezoning request is limited to 17,611 sq. ft. of commercial uses Building 1 & 2	150	56%	84
Net New Trips (Proposed Development less Allowable Development): 84-20=64			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: None

Summary

The applicant is requesting to change 1.68 acres from Office to ACMU and requests approval to develop up to 219,542 sq. ft. of non-residential (maximum for ACMU). The PD rezoning request is limited to 17,611 sq. ft. of commercial uses for the existing Building 1 & 2.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

Based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service, however due to committed trips, capacity is not available to be encumbered.

- The subject property is not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 20 pm peak hour trips.
- **The proposed use will generate 84 pm peak hour trips resulting in a net increase of 64 pm peak hour trips.**
- The subject property is located adjacent to Apopka-Vineland Road, a 4-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated 03-16-2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area do operate at acceptable levels of service. This information is dated and is subject to change.

- Background traffic was developed based on the annual growth rates based on historical AADTs within the project’s impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) conditions indicate that not all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development. The following are expected to fail as a result of background traffic growth:

Winter Garden-Vineland Rd from I-4 to Apopka-Vineland Rd and from Apopka-Vineland Rd to Buena Vista Dr.

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county’s Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land uses will be noted on the County’s PD Land Use Plan.

3. Zoning Analysis

IMPACT ANALYSIS

Overview

The Buena Vista Commons PD was originally approved May 24, 2011. Today, the PD consists of 8.52 acres with development entitlements for 57,161 square feet of professional office uses, including church, restaurant (no drive-thru), child day care facility, community center, fitness center, and temple priest residence.

Through this PD Change Determination Request (CDR), the applicant is seeking to include Activity Center Mixed Use uses for Buildings 1 and 2.

Land Use Compatibility

The PD Change Determination Request would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Overlay District Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within the Buena Vista North Overlay District.
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

SITE DATA

APPLICABLE PD DEVELOPMENT STANDARDS

Non-Residential

PD Perimeter Setback	25 feet
Maximum Building Height:	35 feet (2-stories)
Maximum Building Coverage:	70%
Maximum Impervious Surface:	70%
Minimum Building Setbacks	
CR 435:	20 feet
2 nd Street:	0 or 10 feet
3 rd Street:	0 or 10 feet
Maple Street:	0 or 10 feet
Abutting Residential:	35 feet

SPECIAL INFORMATION

Environmental

Environmental Protection Division (EPD) staff reviewed the proposed request, but did not identify any issues or concerns.

Transportation / Concurrency

Based on the concurrency management system dated 01-22-2020, there are several failing roadway segments within the project's impact area, a traffic study will be required prior to obtaining building permit..

Water / Wastewater / Reclaim

Existing service or provider

Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed:	Orange County Utilities

Schools

Orange County Public Schools (OCPS) reviewed the request and determined that it will not impact public school capacity.

4. Policy References

OBJ FLU1.4- The following location and development criteria shall be used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as further the goals of the 2030 CP. (Obj. 3.2-r)

FLU1.4.3 – The location of commercial development shall be concentrated at major intersections and within Activity Centers and Neighborhood Activity Nodes within the Urban Service Area.

FLU1.4.4 – The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided.

FLU1.4.10 – Strip commercial land uses shall be defined as commercial uses adjacent to roadways that are located outside the reasonable zone of influence of the intersection to which they relate. They are characterized by individual curb and median cuts and lack visual landscaped buffers. Strip commercial land use patterns shall be avoided by requiring a transition of land uses, encouraging a mix of land uses, or requiring incorporation of a buffer into the development's design. Strip commercial land uses do not include outparcels in shopping centers, malls, or similar developments where access is provided internally from the shopping center/mall or similar development, or via a system of shared or common driveways. More compact, clustered pedestrian and transit-friendly development options shall be encouraged.

FLU1.4.21- Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

OBJ FLU8.2 – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11-Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

OBJ N1.1 – Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

INTERNATIONAL DRIVE ELEMENT GOAL 1- It is Orange County's goal to promote tourism by the development of an economically viable, well planned tourist oriented International Drive (I-Drive) Area made up of the Activity Center and the I-Drive District Overlay. (Amended 6/16, Ord. 2016-15)

ID1.1.2 - To encourage increased transit and pedestrian transportation within the Activity Center, the Land Use Plan shall be balanced between projected density and intensity and mixture of land use and planned infrastructure. (Added 12/00, Ord. 00-25)

Site Visit Photos

Subject Site – Offices



North – Maa Durga Sri Sai Baba Temple



South - Vacant



West – Day Care Center



West – Mobile Home Park

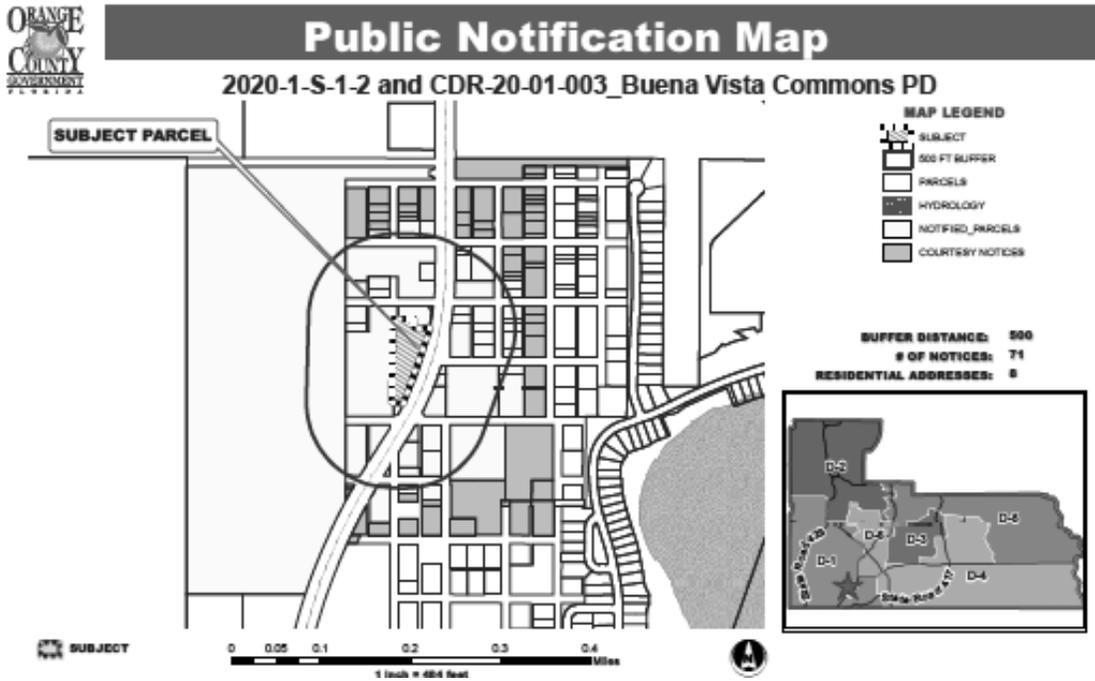


East – Islamic Society of Orlando



East – Vacant

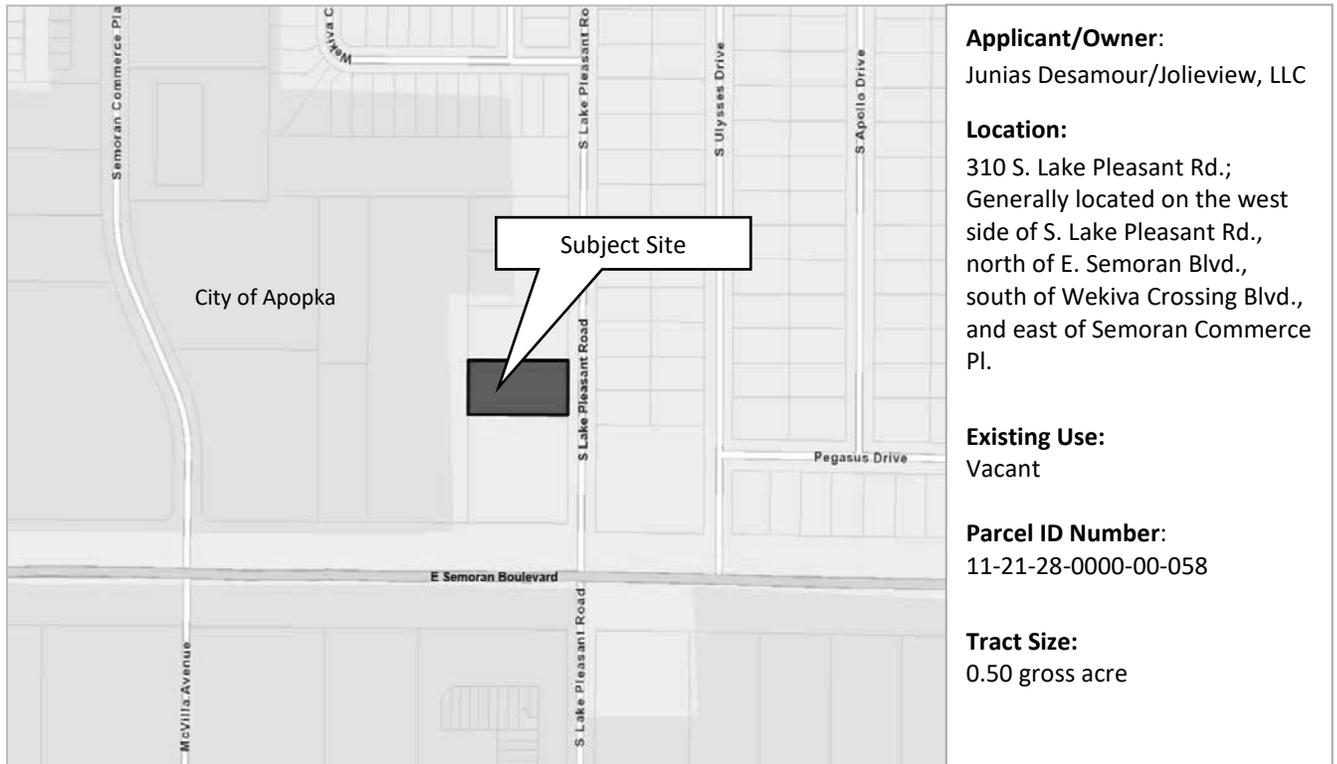




Notification Area

500 ft. plus homeowner associations within a one (1) mile radius of the subject site

71 notices sent



Applicant/Owner:
 Junias Desamour/Jolieview, LLC

Location:
 310 S. Lake Pleasant Rd.;
 Generally located on the west
 side of S. Lake Pleasant Rd.,
 north of E. Semoran Blvd.,
 south of Wekiva Crossing Blvd.,
 and east of Semoran Commerce Pl.

Existing Use:
 Vacant

Parcel ID Number:
 11-21-28-0000-00-058

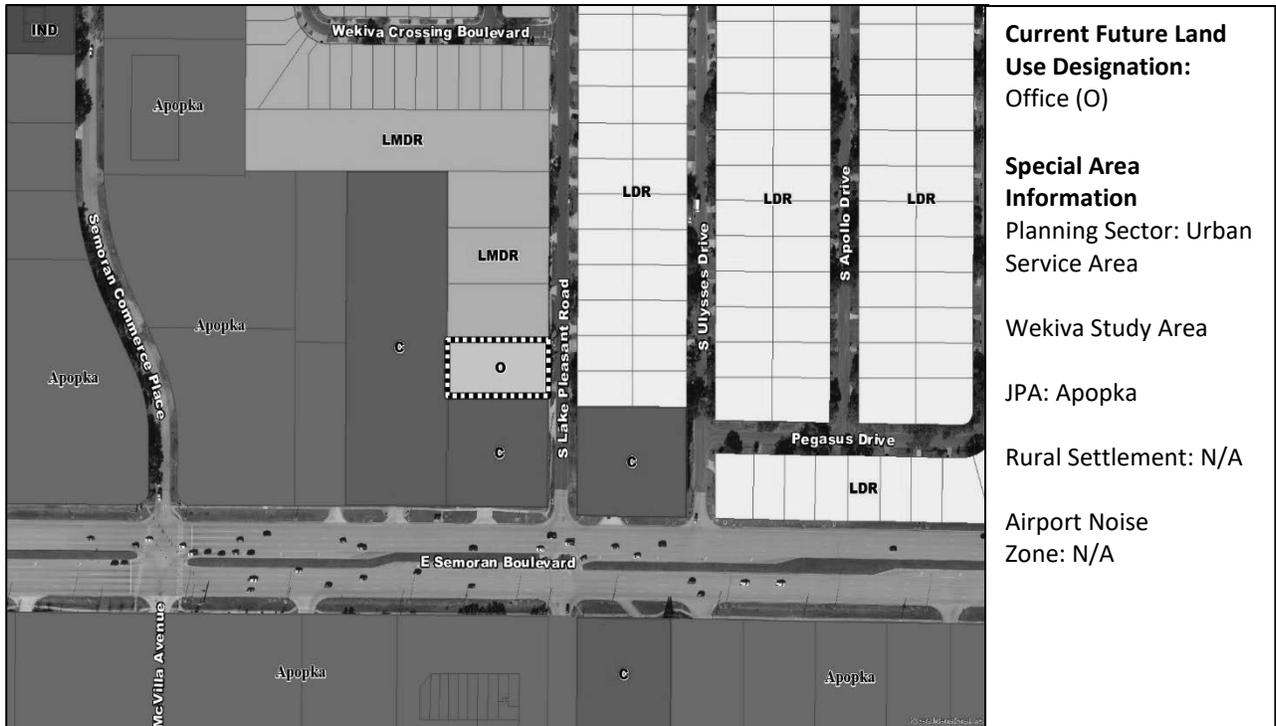
Tract Size:
 0.50 gross acre

+The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	Request: Office (O) to Low-Medium Density Residential (LMDR)
✓ Community Meeting March 2, 2020 (109 notices sent; 1 person in attendance)	Positive	Proposed Development Program: To allow for the development four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit.
✓ Staff Report	Recommend adoption of the proposed amendment and approval of the concurrent rezoning request	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.
✓ LPA Adoption	Recommend adoption of the proposed amendment (9-0)	Transportation: The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility. The proposed amendment will result in a net decrease of 15 p.m. peak hour trips.
✓ PZC Rezoning Hearing	Recommend approval of the concurrent rezoning request (8-1)	Environmental: The site is located within the geographical limits of the Wekiva Study Area. Special area regulations may apply.
BCC Adoption	July 28, 2020	Concurrent Rezoning: Yes – RZ-20-04-072
BCC Rezoning Hearing	July 28, 2020	Request: P-O (Professional Office District) to R-2 (Residential District)

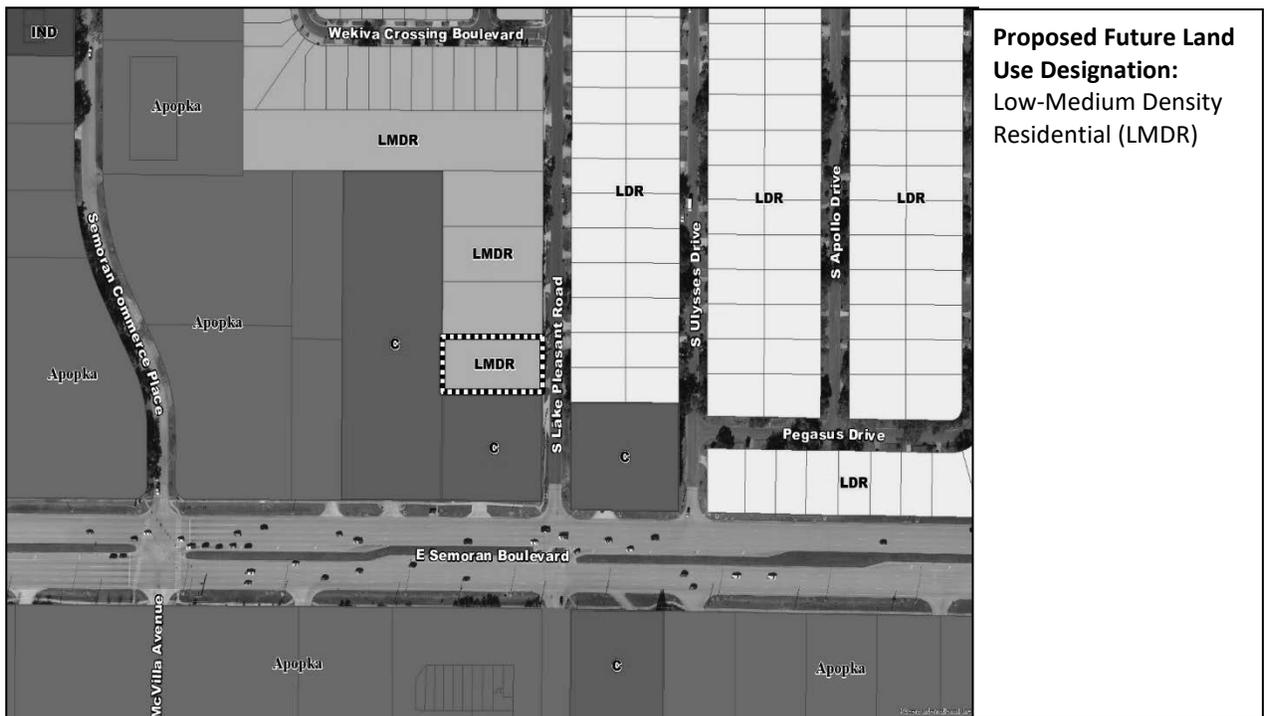
SITE AERIAL



FUTURE LAND USE - CURRENT



FUTURE LAND USE - AS PROPOSED



ZONING - CURRENT



ZONING - AS PROPOSED



Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objectives FLU2.1 and FLU8.2; Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, FLU8.2.2, and FLU8.2.11; Housing Element Goal H1 and Objective H1.1; and Open Space Policies OS1.3.2 and OS1.3.6), determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-S-2-2, Office (O) to Low-Medium Density Residential (LMDR).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objectives FLU2.1 and FLU8.2; Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, FLU8.2.2, and FLU8.2.11; Housing Element Goal H1 and Objective H1.1; and Open Space Policies OS1.3.2 and OS1.3.6), and recommend **APPROVAL** of Rezoning Case RZ-20-04-072, P-O (Professional Office District) to R-2 (Residential District) zoning.

Analysis

1. Background and Development Program

The applicant and owner, Junias Desamour, has requested to change the Future Land Use Map (FLUM) designation of the 0.50-acre site from Office (O) to Low-Medium Density Residential (LMDR). In conjunction with the FLUM Amendment, the applicant has applied for a rezoning of the site (Case RZ-20-04-072) from P-O (Professional Office District) to R-2 (Residential District).

The subject site is located on S. Lake Pleasant Road, approximately 200 feet north of E. Semoran Boulevard. The subject property is located in an area characterized by a mix of commercial and residential uses. An O'Reilly Auto Parts Store, located directly south of the subject property, at the northwest corner of E. Semoran Boulevard and S. Lake Pleasant Road, possesses a Commercial (C) FLUM designation and is zoned C-1 (Retail Commercial District). Roedell's Landscaping and Supplies, zoned Planned Development District (PD) (Garvin Gardens Planned PD), is located immediately west of the subject site on E. Semoran Boulevard. It also possesses a Commercial FLUM designation. Residential homes, located on S. Lake Pleasant Road, north of the subject site, have LMDR FLUM designations and are zoned R-2. Residential homes, located directly across the street on S. Lake Pleasant Road, east of the subject site, have Low-Density Residential (LDR) FLUM designations and are zoned R-1 (Single-Family Dwelling District). A retail shopping plaza, Wekiva Square West, is located southeasterly of the site, at the northeast corner of E. Semoran Boulevard and S. Lake Pleasant Road, is zoned C-2 (General Commercial District) and has a corresponding Commercial FLUM designation.

On November 16, 2004, the Board of County Commissioners (BCC) approved Future Land Use Map Amendment (FLUMA) 2004-2-S-2-5 to change the FLUM designation of the subject property from LMDR to O, and on June 16, 2015, the BCC approved Rezoning Case RZ-15-05-020 to change the zoning of the subject property from R-2 to P-O. At that time, the previous owner, Raziya Boytee Family Trust, desired to construct a professional office building on the property. At the present time, the applicant is requesting to change the current FLUM designation and zoning classification of the subject property back to its original FLUM (LMDR) and zoning (R-2) designations to allow for the

development of four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit.

A community meeting was held for the proposed FLUM Amendment and concurrent rezoning requests on March 2, 2020. One resident was in attendance at the meeting. District 2 County Commissioner Christine Moore asked the applicant if water and sewer were available for the proposed residential units. Mr. Desamour provided a letter from the Orange County Utilities (OCU) Division that stated water and sewer capacity are available. Commissioner Moore stated that she would like for the proposed residential units to connect to central sewer and that she was not in favor of the use of septic tanks. Commissioner Moore also inquired if sufficient parking spaces would be provided for the proposed project. Mr. Desamour stated he would provide fifteen (15) total parking spaces – two (2) parking spaces would be provided for each unit (one space inside the single-car garage and one space in the driveway), plus five (5) additional parking spaces will be provided on site. Additionally, Commissioner Moore and the resident both felt that five (5) units were too many units to build on the 0.50-acre site. They both thought four (4) units were a more reasonable request. Mr. Desamour stated that he wanted to build five units in order to provide affordable rental homes for his employees because some of them expressed to him the difficulties of finding decent rental housing at affordable prices. He also stated the proposed units could be rented to others beside his employees. He showed a rendering of what the proposed units could potentially look like. The four attached units would consist of three bedrooms and two and one-half bathrooms and the detached unit would consist of four bedrooms and two and one-half bathrooms. All of the proposed units would be two stories and would contain approximately 1,300 to 1,500 square feet of living area. Monthly rent for the units would be approximately \$1,300.00 - \$1,400.00. Also, Commissioner Moore stated that she would like for the applicant to provide a play area for the proposed residential complex because Mr. Desamour is proposing to rent to people who have children. She stated she wanted the children to have a safe play area within the residential complex, away from S. Lake Pleasant Road, since it serves as the entrance for the residential subdivisions located north and east of the subject property.

2. Project Analysis

Consistency

The requested FLUM Amendment and associated rezoning applications appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The subject parcel is located nearby the established surrounding residential neighborhoods of single-family detached homes located north and east (Wekiwa Manor, Wekiva Crossings, and Adam Ridge Subdivisions). As mentioned previously, the applicant is seeking the LMDR future land use map designation and R-2 zoning classification to allow for the development of four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit. Staff finds this proposal consistent with Future Land Use Element **Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options.

This proposed amendment is also consistent with Future Land Use **Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives

identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area (USA). Staff further finds this request consistent with Future Land Use Element **Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

Per Orange County Utilities (OCU), the subject site lies within OCU's potable water and wastewater service areas and sufficient capacity is available for the proposed residential units. **Housing Element Goal H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Staff finds that the development of four single-family attached units (2 duplexes) and one single-family detached unit on the subject property would prove consistent with the goal of providing a range of housing options for the surrounding area. **Future Land Use Element Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is also staff's belief that the proposed residential units will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**. As mentioned above, the applicant is proposing to construct the residential units to meet the needs of some of his employees who have expressed to him the difficulties of finding decent housing at affordable rates, as well as for others who are having the same problem. Mr. Desamour stated that he is willing to build the proposed units and rent them at affordable monthly rates.

The site is located within the Wekiva Study Area, therefore will be subject to additional guidelines for development that include, but are not limited to, required open space, impervious surface area, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. These additional requirements are outlined in the Future Land Use, Wastewater, Stormwater Management, Conservation, Aquifer Recharge, and Open Space Elements of the Comprehensive Plan. Pursuant to Open Space Element **Policy OS1.3.6**, the developer will be required to reserve 35% of the net developable area as open space (as defined in **Policy OS1.3.2**).

Compatibility

Objective FLU8.2 states that compatibility will continue to be the fundamental consideration in all future land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As mentioned above, the subject property is located within an area characterized by a mix of commercial and residential uses. Commercial uses are located south and west of the subject site, and detached single-family residential homes are located north and east of the subject site. Although duplexes are not located within the surrounding area of the subject parcel, **Policy FLU8.2.11** notes that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. **Policy FLU8.2.11** also notes that other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of the project and the proposal's contribution to the goals and objectives of the Comprehensive Plan.

The applicant's requests involve the use of an existing site within the Urban Service Area that is consistent with the overall goal of the Comprehensive Plan to direct development to the Urban

Service Area. As stated above, the applicant desires to change the current FLUM and zoning designations back to the previous LMDR and R-2 designations in order to be able to construct five residential units. Therefore, Staff recommends approval of Amendment 2020-1-S-2-2, Office (O) to Low-Medium Density Residential (LMDR) and concurrent Rezoning Case RZ-20-04-072, P-O (Professional Office District) to R-2 (Residential District).

Division Comments: Environmental, Public Facilities and Services

Environmental. This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also, refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Utilities. The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 16-inch potable water main within S. Lake Pleasant Road right-of-way and an 8-inch gravity sewer main within Wekiva Crossing Boulevard right-of-way. Currently, there are no reclaimed water mains in the vicinity of the site.

Transportation. Based on trip generation estimates from the 10th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the maximum allowable development of up to 20,418 square feet of office uses based on the current land use designation of Office would generate approximately 23 p.m. peak hour trips, while under the requested Low-Medium Density Residential future land use designation would generate 8 p.m. hour trips resulting in a net decrease of 15 new p.m. peak hour trips.

The applicant is requesting to change a 0.50-acre site from Office (O) to Low-Medium Density Residential (LMDR) and requests approval to develop up to 5 residential units.

Analysis of the project trips from the currently approved future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways. However, based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

The subject property is not located within the County's Alternative Mobility Area.

The subject property is not located along a backlogged/constrained facility or multimodal corridor.

The allowable development based on the approved future land use will generate 23 p.m. peak hour trips.

The proposed use will generate 8 p.m. peak hour trips resulting in a net decrease of 15 p.m. peak hour trips.

The subject property is located adjacent to Semoran Boulevard, an eight-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated March 3, 2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area do operate acceptable levels of service. This information is dated and is subject to change.

Background traffic was developed based on the annual growth rates based on historical AADT within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.

Analysis of short-term (5 year) conditions indicate that all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

3. Rezoning Analysis

SITE DATA

Adjacent Zoning	N:	R-2 (Residential District) (1957)
	E:	R-1 (Single Family Dwelling District) (1958)
	W:	P-D (Planned Development) (1976)
	S:	C-1 (Retail Commercial District) (1957)
Adjacent Land Uses	N:	Single-Family Dwelling
	E:	Single-Family Dwelling
	W:	Landscaping Company
	S:	Retail Auto Parts Store

APPLICABLE R-2 (Residential District) DEVELOPMENT STANDARDS

Minimum Lot Area: 4,500 sq. ft.
Minimum Lot Width: 45 ft.
Maximum Building Height: 35 ft.
Minimum Floor Area: 1000 sq. ft.

Minimum Building Setbacks

Front: 20 ft.
Rear: 20 ft.
Side: 5 ft.
Side Street: 15 ft.

Two Dwelling Units

Min. Lot Area: 8,000 sq. ft. / 9,000 sq. ft.

Min. Lot Width: 80 ft. / 90 ft.
Max. Height: 35 ft.
Min. Living Area: 500 sq. ft. / 1,000 sq. ft.

Minimum Building Setbacks

Front: 20 ft.
Rear: 20 ft.
Side: 5 ft.
Side Street: 15 ft.

Three Dwelling Units

Min. Lot Area: 11,250 sq. ft.
Min. Lot Width: 85 ft. (attached units only)
Max. Height: 35 ft.
Min. Living Area: 500 sq. ft. per dwelling unit

Minimum Building Setbacks

Front: 20 ft.
Rear: 30 ft.
Side: 10 ft.
Side Street: 15 ft.

Four or More Dwelling Units

Min. Lot Area: 15,000 sq. ft.
Min. Lot Width: 85 ft.
Max. Height: 35 ft.
Min. Living Area: 500 sq. ft. per dwelling unit

Minimum Building Setbacks

Front: 20 ft.
Rear: 30 ft.
Side: 10 ft. (30 ft. where adjacent to single-family)
Side Street: 15 ft.

* These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.

PERMITTED USES

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

Specific uses shall be identified by the letter “P” in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is located within Apopka JPA.

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Water / Wastewater / Reclaim

Existing service or provider

Water:	Orange County Utilities	16-inch watermain is located within Lake Pleasant right-of-way
Wastewater:	Orange County Utilities	Not currently available
Reclaimed:	Orange County Utilities	Not currently available

Schools

Orange County Public Schools (OCPS) provided a comment on this case as it may involve an increase in residential units or density. Five (5) units result in a de minimus impact to OCPS.

Parks and Recreation

Orange County Parks and Recreation did not comment on this case.

Code Enforcement

No code enforcement issues.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Policy References

OBJ FLU2.1 – INFILL. Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.1 – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 – Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

FLU8.2.11 – Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

OS1.3.2 – Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Ordinance area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the County shall require that a minimum quantity of developable area remain preserved, which shall represent the minimum open space requirement. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas. Minimum required open space may include permeable stormwater management areas using Best Management Practices. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement. The minimum required quantity of open space within a development site shall be calculated over the net developable area of a parcel, which is defined as the total area of a parcel less wetlands and natural water bodies. Non-developable areas, including wetlands and natural water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement.

OS1.3.6 – For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats.

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type “A” Hydrologic Soil Group identifying the most effective recharge areas.

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type “A” Hydrologic soils described by the NRCS Soil Survey maps.

To maximize open space and preserve the natural environment, all development shall conform to the following requirements.

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently

preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms.

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

Residential land uses in the Rural Service Area.

Within all areas designated as Rural/Agricultural, the following standards shall apply:

- i. development with densities less than or equal to one unit per ten acres (1du/10ac) – open space shall be 50% or greater.

Residential land uses in existing Rural Settlements.

Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- i. development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;
- ii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

Residential land uses in Rural Settlements expansions.

For any Rural Settlement expansions in the Wekiva Study Area, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- i. development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall equal 60% or greater;
- ii. development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size less than or equal to 100 acres – open space shall be 70% or greater;
- iv. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 80% or greater.

Residential land uses in Growth Centers.

Within Growth Centers in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows.

- i. development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 40% or greater;
- ii. development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 50% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater.
- iv. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- i. development with an overall size less than or equal to 100 acres – open space shall be 35% or greater;
- ii. development with an overall size greater than 100 acres – open space shall be 50% or greater.

Vertical mixed-use in the Urban Service Area and Growth Center.

Vertical mixed-use (non-residential and residential land uses) within the Urban Service Area and Growth Centers in the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses.

Non-residential land uses in the Rural Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Rural Service Area generally shall be limited to neighborhood and community commercial uses including small offices, institutional uses, agricultural uses, public parks and public conservation lands. Land uses existing prior to adoption of this policy shall be recognized and allowed to develop according to the appropriate Land Development Code in place at the time of development permitting. Comprehensive plan map amendments may allow neighborhood or community commercial uses only at intersections of collector or arterial roadways, and such uses shall be restricted to neighborhood and low-intensity community commercial uses. Such commercial uses shall not be considered to be an impetus for increased residential densities in proximity to those commercial uses. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses.

Non-residential land uses in the Urban Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Urban Service Area shall be consistent with Goals, Objectives and Policies of the Comprehensive Plan and specifically with the Policies FLU1.4.3 through FLU1.4.25. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space.

Non-residential sites too small to accommodate the above requirements – generally existing lots of record – may apply for a waiver from some or all of these open space requirements, provided that competent and sufficient evidence is provided documenting that fulfilling these requirements either is not physically possible or would constitute an undue hardship rendering the property unusable under the land use designation in effect on July 1, 2006.

Site Visit Photos

Subject Site



North

South

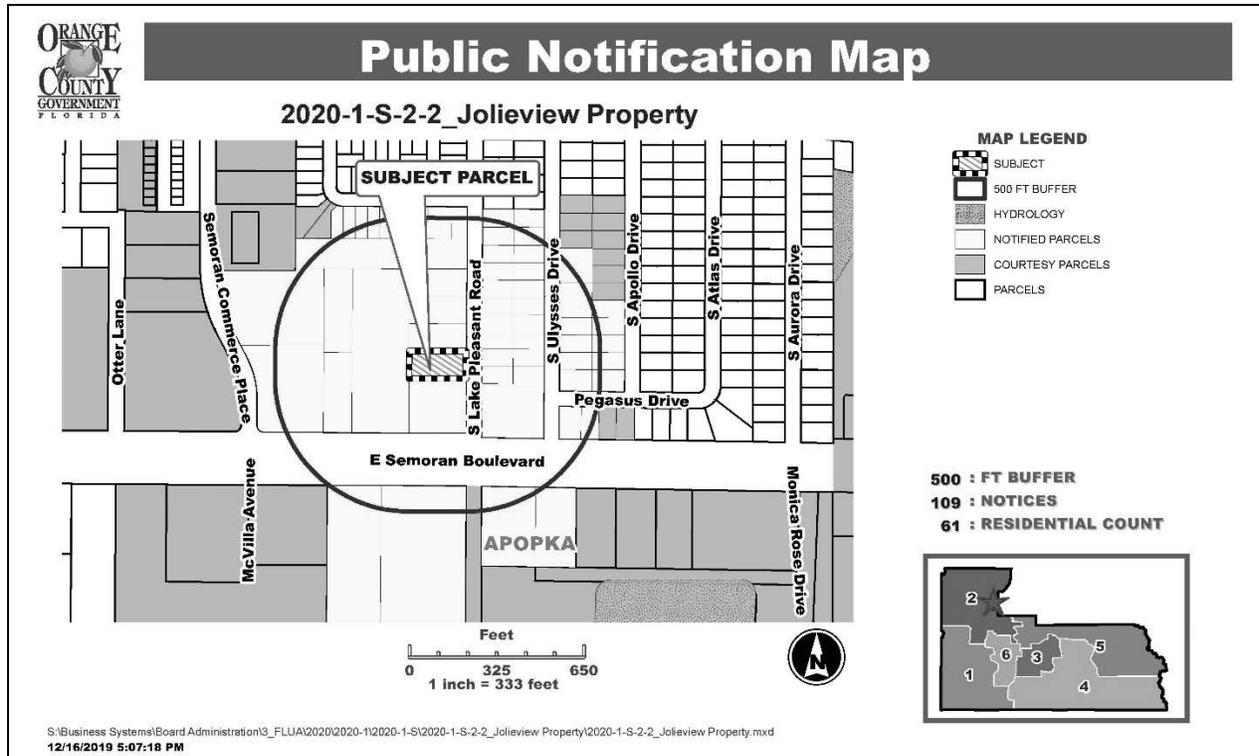


East

West



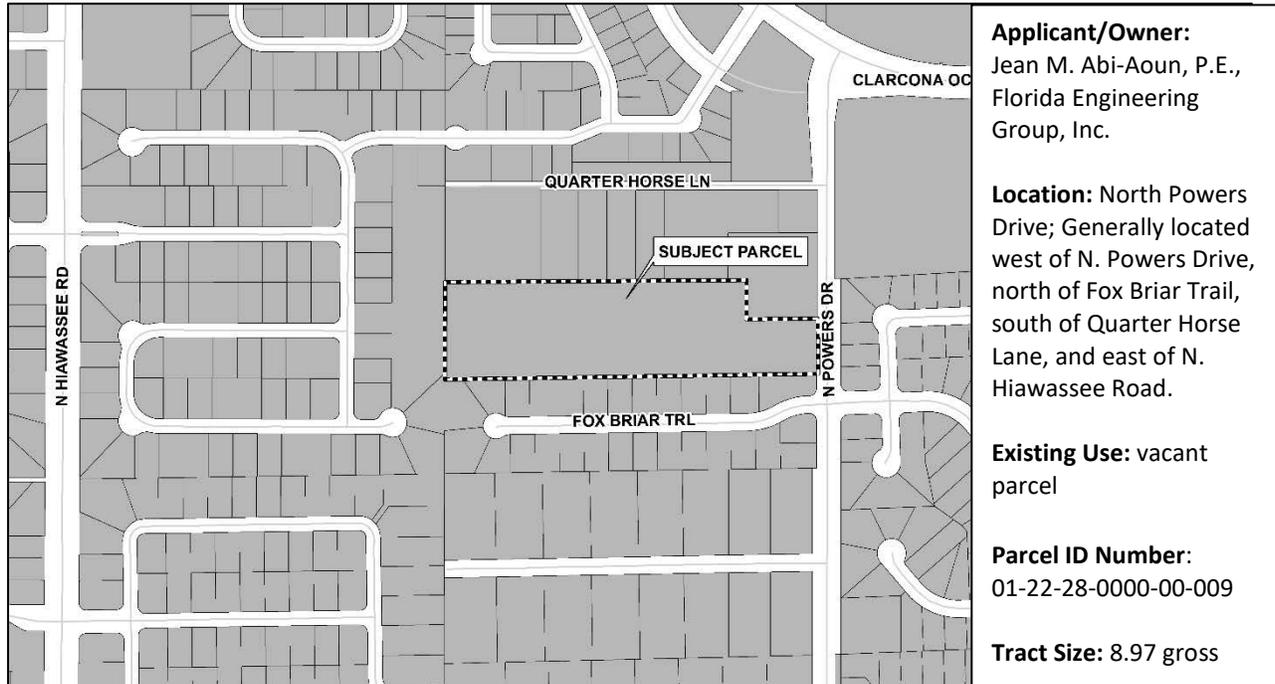
PUBLIC NOTIFICATION MAP



Notification Area

500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site

109 notices sent



The following meetings/hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome		
✓	Community Meeting held March 12, 2020; 70 attendees. (207 notices sent; 70 persons in attendance)	Positive	Request: From Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing)	
✓	Staff Report	Recommend Adoption and Approval, subject to 16 conditions	Concurrent Rezoning: From: A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD/LUP)	
✓	LPA/PZC Adoption July 16, 2020	Recommend Adoption and Approval, subject to 18 conditions (9-0)	Proposed Development Program: The applicant is proposing to construct a 55+ deed-restricted community comprised of seventy (70) single-family attached dwelling units	
	BCC Adoption	July 28, 2020	Public Facilities and Services: Please the see Public Facilities Analysis Appendix.	
			Environmental: Please see Environmental Protection Division analysis under Public Facilities Analysis Appendix.	

AERIAL



FUTURE LAND USE - CURRENT



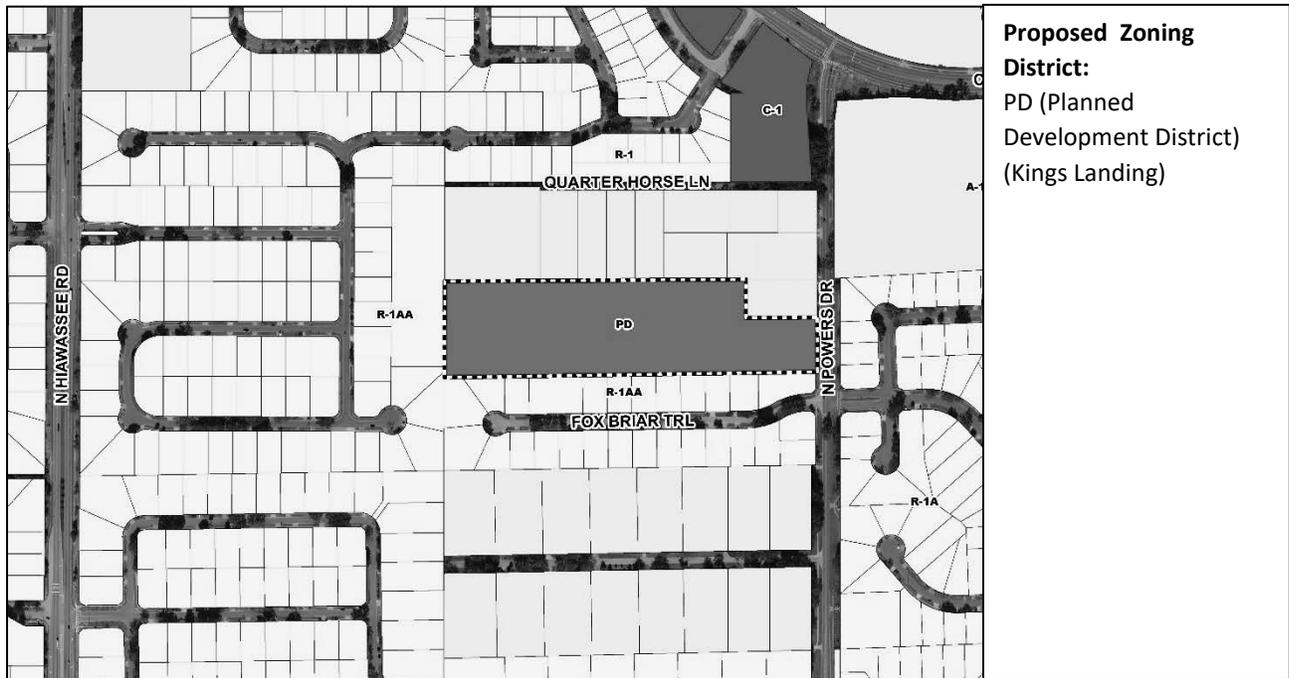
FUTURE LAND USE - AS PROPOSED



ZONING – CURRENT



ZONING – AS PROPOSED



Staff Recommendation

If the requested Comprehensive Plan amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate actions by the Board. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Objectives FLU1.1 and FLU1.2, FLU2.1, FLU8.2 and Policies FLU1.1.5, FLU1.4.1, FLU1.4.2, FLU 8.1.1(b), FLU8.2.1, FLU8.2.2 and FLU8.2.11, Housing Element Goal H1 and Housing Element Objective OBJ H1.1, and Open Space Element Policy OS1.3.6), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-2-3, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing).
2. **REZONING REQUEST: LUP-19-12-418:** (May 27, 2020 DRC Recommendation) Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the Kings Landing Planned Development/Land Use Plan (PD/LUP), dated "Received May 7, 2020", subject to the following conditions:
 1. Development shall conform to the Kings Landing Land Use Plan (LUP) dated "Received May 7, 2020," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the Land Use Plan dated "Received May 7, 2020," the condition of approval shall control to the extent of such conflict or inconsistency.
 2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it

was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
7. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless

prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
9. This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit.
10. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
11. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
12. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
13. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
14. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
15. This project is limited to a senior housing community intended and operated for occupancy by persons fifty-five (55) years or older, as set forth in Section 22.55 of the Orange County Code, as may be amended.
16. Except as may be otherwise approved by the Zoning Manager, or a Designee, the existing vegetation within the 25' PD Perimeter setback along the north and south property lines shall be preserved.
17. The area South of 5226 N. Powers Drive, Orlando, FL 32818, and North of the future access road shall remain open space.

18. This project shall consist of no more than fifty-nine (59) single-family units.

Analysis

1. Background Development Program

The applicant, Jean M. Abi-Aoun, P.E., Florida Engineering Group, Inc., is requesting to change the Future Land Use Map (FLUM) designation of the 8.97 gross acre parcel from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR). The requested designation would allow for the consideration of low to medium density residential development up to a maximum of ten dwelling units per acre. In conjunction with the FLUM Amendment, the applicant has applied for a rezoning of the site (Case LUP-19-12-418) from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD/LUP).

The applicant is proposing to construct a 55+ deed-restricted community comprised of seventy (70) single-family attached dwelling units. The applicant has proposed the project to be a Certified Affordable Housing project meeting the workforce housing standards defined in the Comprehensive Plan **Housing Element Policy H.1.2.1**.

The subject property is located on the west side of North Powers Drive; generally located north of Fox Briar Trail, south of Quarter Horse Lane, and east of North Hiawassee Road. Surrounding properties maintain a future land use designation of Low-Density Residential, and zoning classifications of A-1 (Citrus District), R-1A and R-1AA (Single-Family Dwelling Districts).

Community Meeting

A community meeting was held on Thursday, March 12 at Meadowbrook Middle School. A total of seventy (70) persons attended. The overall reception for the project was positive, but attendees did express concerns about the impact of the project on traffic conditions along North Powers Drive, and the need for a barrier between the project site and surrounding single-family residences.

2. Future Land Use Map Amendment Analysis

Consistency

The proposed FLUM Amendment and concurrent rezoning appear to be **consistent** with the applicable goals, objectives, and policies of the Comprehensive Plan, which are specifically discussed in the paragraphs below.

Staff finds the two requests consistent with **Future Land Use Element Objective FLU1.1**, which states Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development. The site is located in the Urban Service Area and is eligible for connection to existing utility services (water and wastewater).

Staff finds the two requests consistent with **Future Land Use Element Policy FLU1.4.1**, which states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community, and **Future Land Use Element Policy FLU1.4.2**, which states Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

Open Space Element Policy OS1.3.6 requires that residential land uses in the Urban Service Area with development with an overall size less than or equal to 100 acres, the open space shall be 35% or greater.

Staff further finds the two requests consistent with **Housing Element Goal H1**, which states Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing, and **Housing Element Objective H1.1**, which states the County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

Compatibility

The proposed Future Land Use Map amendment and associated rezoning request appear to be **compatible** with existing development of the surrounding area.

Future Land Use Element Objective FLU8.2 states that compatibility will be the fundamental consideration in all land use and zoning decisions, while **Future Land Use Element Policy FLU8.2.1** requires land use changes to be compatible with existing development and the development trend in the area.

Future Land Use Element Policy FLU8.2.2 states continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

Policy FLU8.2.11 states compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the Comprehensive Plan. The Comprehensive Plan shall specifically allow for such a balance of considerations to occur.

The proposed single-family attached development would provide an additional housing option in a developed neighborhood comprised of single-family detached residences. The proposed development would also serve current and future housing needs in Orange County during the 2010-2030 planning horizon.

3. Public Facilities and Services Analysis

Environmental Protection Division

The site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

This project site may have a prior agricultural land use that resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection and Development Engineering Divisions. If an Environmental Site Assessment (ESA) has been completed for this site, please submit a copy with this application.

Utilities Engineering Division

The site is located in the Orange County Utilities Service Area West and can be serviced for both potable water and wastewater. A 10-inch water main is located within the right-of-way of North Powers Drive. A 4-inch forcemain is located within the right-of-way of North Powers Drive and is approximately 500 feet south of the site.

Transportation Planning Division

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Development Permitted Under Current FLUM: Up to 4 du/ac (16 SF DU)	17	100%	17

Proposed Use: Up to 10 du/ac (41 SF DU) 43 100% 43

Net New Trips (Proposed Development less Allowable Development): 43-17=26

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: None

Summary

The applicant is requesting to change 4.22 acres from PD to PD and requests approval to develop up to 10 dwelling units an acre.

Analysis of the project trips from the currently approved future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

However, based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property is located within the County's Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 17 pm peak hour trips.
- The proposed use will generate 43 pm peak hour trips resulting in a net increase of 26 pm peak hour trips.
- The subject property is located adjacent to Winter-Garden Vineland Road, a 4-lane Horizons West Class 1 road. Based on the Concurrency Management System (CMS) database dated 11-20-2020, this roadway currently operates at Level of Service E and capacity is not available to be encumbered due to committed trips. This information is dated and is subject to change.
- Background traffic was developed based on the 6% annual growth rate based on historical AADT within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5-year) conditions indicate that Winter-Garden Vineland Rd. is projected to fail due to committed trips, with or without the addition of the proposed project trips.
- Analysis of long term (10 year) conditions indicate that Winter-Garden Vineland Rd. is projected to fail due to committed trips, with or without the addition of the proposed project trips.
- A survey of existing sidewalks and pedestrian facilities was conducted using aerial photography in addition to a field visit within a quarter-mile radius of the site. Power Dr. is improved with county maintained sidewalks on both sides of the road and crosswalks at major intersections. On the south side of Clarcona-Ocoee Rd. there are county maintained sidewalks and on the north side is an 8-foot wide concrete paved trail. Residential communities are also intermittently improved with sidewalks. A signalized pedestrian crossing is provided at the intersection of Clarcona-Ocoee Rd. and Powers Dr. to the north of the site. A mid-block pedestrian crossing is provided on Powers Drive at Fox Briar Tr., to the south.
- There are no dedicated bicycle lanes or paths in the vicinity of the site other than the trail on the north side of Clarcona-Ocoee Rd.
- The area is served by Lynx 443 Winter Park/Pine Hills, running on Powers Drive and Clarcona-Ocoee Rd. There exist four (4) bus stops along Powers Drive, all of which are simple pole stops without any amenities.
- It should be noted that the northbound bus stop at Fox Briar Trail appears to be in disrepair and is missing the Lynx sign designating it as a stop.

4. Rezoning Request Analysis

IMPACT ANALYSIS

Overview

The applicant is seeking to rezone the subject parcel from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD/LUP) in order to construct seventy (70) single-family attached or detached dwelling units. No waivers from Orange County Code are requested. The development will be a certified affordable, age-restricted development. The applicant has indicated that the proposed development is seventy (70) townhome units, however they have requested the additional approved use of single-family detached residential units. The intent is to develop either all single-family attached, or all single-family detached units.

The subject property is located in an area characterized exclusively by single-family detached dwelling units on lots ranging between 75’ and 165’ in width. The 8.7 acre parcel northeast of the subject property amended its Future Land Use Map (FLUM) designation to Planned Development - Low-Medium Density Residential (PD-LMDR) in 2008, with the intention of constructing townhomes. However, the property remains undeveloped.

Land Use Compatibility

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

SITE DATA

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback	25 feet
Maximum Building Height:	35 feet (2-story)
Minimum Lot Size (Attached):	1,400 square feet
Minimum Lot Size (Detached):	4,500 square feet

Minimum Lot Width: (Attached)	20 feet
Minimum Lot Width: (Detached)	45 feet
Minimum Living Area: (Attached)	750 Square Feet (under HVAC)
Minimum Living Area: (Detached)	1,000 Square Feet (under HVAC)

Minimum Building Setbacks (Attached)

Front Setback:	20 feet
Rear Setback:	20 feet
Side Setback:	0 feet

Minimum Building Setbacks (Detached)

Front Setback:	20 feet
Rear Setback:	20 feet
Side Setback:	5 feet

SPECIAL INFORMATION

Community Meeting Summary

A community meeting was held on Thursday, March 12 at Meadowbrook Middle School. A total of seventy (70) persons attended. The overall reception for the project was positive, but attendees did express concerns about the impact of the project on traffic conditions along North Powers Drive, and the need for a barrier between the project site and surrounding single-family residences.

Environmental

The site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

This project site may have a prior agricultural land use that resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to

the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection and Development Engineering Divisions. If an Environmental Site Assessment (ESA) has been completed for this site, please submit a copy with this application.

Transportation / Concurrency

This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit.

Water / Wastewater / Reclaim

Existing service or provider

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaimed: Orange County Utilities

Schools

Orange County Public Schools (OCPS) has reviewed the request and determined that since the project is an age-restricted 55+ community, a CEA is not required.

5. Policy References

- OBJ FLU1.1 Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.
- FLU1.4.1 Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.
- FLU1.4.2 Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.
- OBJ FLU8.2 Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.
 - FLU8.2.1 Land use changes shall be required to be compatible with the existing development and development trend in the area.
 - FLU8.2.2 Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

OS1.3.6 For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. (Amended 6/10, Ord. 10-07)

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. (Amended 6/10, Ord. 10-07).

To maximize open space and preserve the natural environment, all development shall conform to the following requirements.

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms. (Added 10/10, Ord. 2010-13)

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

Residential land uses in the Rural Service Area.

Within all areas designated as Rural/Agricultural, the following standards shall apply:

- i. Development with densities less than or equal to one unit per ten acres (1du/10ac) – open space shall be 50% or greater.

Residential land uses in existing Rural Settlements.

Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum

lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- i. development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;
- ii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

Residential land uses in Rural Settlements expansions.

For any Rural Settlement expansions in the Wekiva Study Area, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- i. development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall equal 60% or greater;
- ii. development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size less than or equal to 100 acres – open space shall be 70% or greater;
- iv. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 80% or greater.

Residential land uses in Growth Centers.

Within Growth Centers in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows.

- i. development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 40% or greater;
- ii. development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 50% or greater;
- iii. development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater.
- iv. development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater. (Amended 6/10, Ord. 10-07)

Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- i. development with an overall size less than or equal to 100 acres – open space shall be 35% or greater;
- ii. development with an overall size greater than 100 acres – open space shall be 50% or greater.

Vertical mixed-use in the Urban Service Area and Growth Center.

Vertical mixed-use (non-residential and residential land uses) within the Urban Service Area and Growth Centers in the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Added 6/10, Ord. 10-07)

Non-residential land uses in the Rural Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Rural Service Area generally shall be limited to neighborhood and community commercial uses including small offices, institutional uses, agricultural uses, public parks and public conservation lands. Land uses existing prior to adoption of this policy shall be recognized and allowed to develop according to the appropriate Land Development Code in place at the time of development permitting. Comprehensive plan map amendments may allow neighborhood or community commercial uses only at intersections of collector or arterial roadways, and such uses shall be restricted to neighborhood and low-intensity community commercial uses. Such commercial uses shall not be considered to be an impetus for increased residential densities in proximity to those commercial uses. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Amended 6/10, Ord. 10-07)

Non-residential land uses in the Urban Service Area.

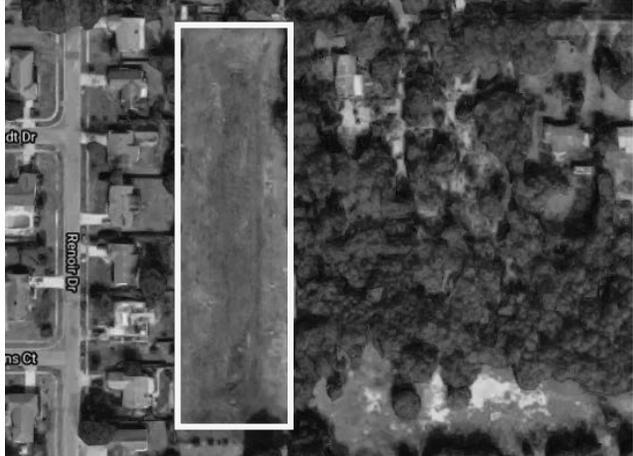
New non-residential uses permitted in the Wekiva Study Area within the Urban Service Area shall be consistent with Goals, Objectives and Policies of the Comprehensive Plan and specifically with the Policies FLU1.4.3 through FLU1.4.25. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. (Added 6/10, Ord. 10-07; Amended 10/10, Ord. 2010-13)

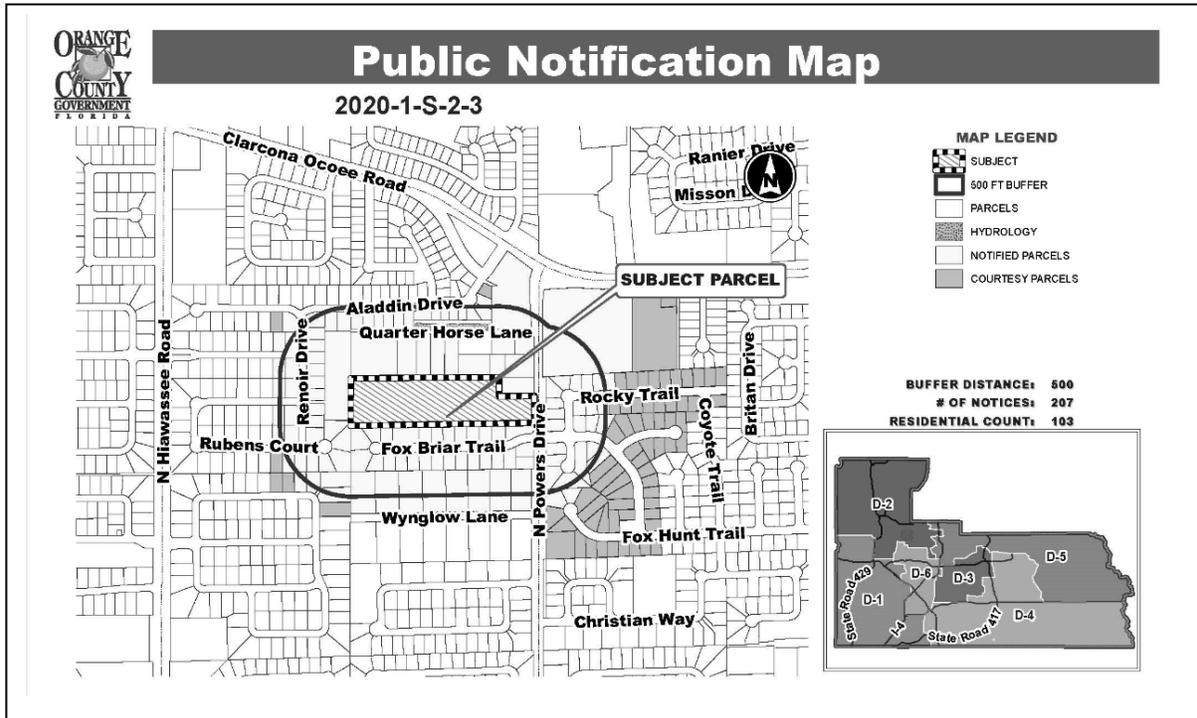
Non-residential sites too small to accommodate the above requirements – generally existing lots of record – may apply for a waiver from some or all of these open space requirements, provided that competent and sufficient evidence is provided documenting that fulfilling these requirements either is not physically possible or would constitute an undue hardship rendering the property unusable under the land use designation in effect on July 1, 2006. (Added 12/07, Ord. 07-20, Policy

1.3.6-r; Amended 10-09, Ord. 2009-28)

- GOAL H1 Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.
- OBJ H1.1 The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

Site Visit Photos

Subject Site	
	
North of Subject Site – Single-Family Residential	South of Subject Site – Single-Family Residential
	
West of Subject Site – County Retention Pond	East of Subject Site – Single-Family Residential
	



Notification Area

500 feet plus homeowner associations within a one (1) mile radius of the subject site

207 notices sent



Applicant/Owner:

Jon C. Wood/AC Five, LLC

Location:

8751 Valencia College Lane;
Generally located north of
Valencia College Lane, west
of SR 417, and east of John
Wesley Way.

Existing Use:

Undeveloped land

Parcel ID Number:

24-22-30-0000-00-005

Tract Size:

7.83 gross/5.35 net
developable acres

The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing	Outcome			
✓	A community meeting was held March 5, 2020.	No members of the public attended the meeting.	Request: Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR)	
✓	Staff Report	Recommend adoption of the proposed amendment	Proposed Development Program: Up to 252 multi-family units	
✓	LPA Adoption Hearing June 5, 2020	Recommend adoption (9-0)	Concurrent PD/LUP Substantial Change: A proposed substantial change to the current Valencia College Lane PD Land Use Plan, Case CDR-20-02-032, is proceeding through DRC review and is expected to be considered in conjunction with the requested FLUM Amendment at the BCC adoption hearing.	
	BCC Adoption Hearing	July 28, 2020	Public Facilities and Services: Please see the Public Facilities & Services Appendix for specific analyses of each public facility. Environmental: Conservation Area Determination CAD-19-11-192 was issued February 10, 2020, with an expiration date of February 10, 2025. Conservation Area Impact (CAI) Permit application, CAI-20-03-022, entailing proposed impacts to 2.14 acres of Class III wetlands and, potentially, 0.34 acre of surface water, is presently undergoing review. Utilities: The subject property is located within Orange County Utilities' (OCU's) potable water and wastewater service areas. Reclaimed water is presently unavailable. Schools: Per Orange County Public Schools (OCPS), capacity is currently available at the elementary, middle, and high schools that will serve the project.	

SITE AERIAL



FUTURE LAND USE – CURRENT



Current Future Land Use:
Planned Development-Commercial (PD-C)

Special Area Information
Rural Settlement: N/A

Overlay District: N/A

JPA: N/A

Airport Noise Zone: N/A

FUTURE LAND USE – AS PROPOSED



Proposed Future Land Use:
Planned Development-Medium-High Density Residential (PD-MHDR)

ZONING – CURRENT



Zoning: PD (Planned Development District) (Valencia Collage Lane PD)

Existing Uses:

- N: Undeveloped land (proposed future expansion of the Asbury Theological Seminary campus) and State Road 417
- S: Valencia College School of Public Safety
- E: Stormwater retention pond and State Road 417
- W: Undeveloped land (proposed future expansion of the Asbury Theological Seminary)

Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1, FLU2.2, and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, and FLU8.2.2; and Housing Element Goal H1 and Objective H1.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-3-2, Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR).

Analysis

1. Background and Development Program

The applicant, Jon Wood, is seeking to change the Future Land Use Map (FLUM) designation of the 7.83-acre subject property from Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR). The property—consisting of 5.35 upland acres, 2.14 acres of Class III wetlands, and 0.34 acre of surface water—comprises the entirety of the Valencia College Lane PD. Approved on February 1, 2000, by the Orange County Board of County Commissioners (Rezoning Case Z-99-067), the Valencia College Lane PD is currently entitled for the development of up to 75,000 square feet of C-1 (Retail Commercial District) uses, subject to the land use restrictions established on the PD Land Use Plan (LUP), dated “Received September 24, 1999”. Despite its commercial entitlements, the subject property has remained undeveloped for the past two decades.

At this time, the applicant is proposing to change the FLUM designation of the subject site to PD-MHDR to allow for the development of a multi-family community featuring up to 252 dwelling units. As established in **Future Land Use Element Policy FLU1.1.2(B)**, the MHDR future land use category permits development at a maximum density of 35 dwelling units per net developable acre. **Future Land Use Element Policy FLU1.1.2(C)** defines net developable land area for density and floor area ratio (FAR) calculation (intensity) as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. In order to include new Class I, II, and III conservation areas in the density and FAR calculations, the parcels must have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County Environmental Protection Division (EPD).

On February 10, 2020, EPD issued Conservation Area Determination CAD-19-11-192, with an expiration date of February 10, 2025. The CAD established the aforementioned upland, wetland, and surface water acreage. Per the approved CAD, the 0.34 acre of delineated surface water is the onsite portion of a drainage canal along the PD’s east boundary that is hydrologically connected to the Little Econlockhatchee River.

Based on the presence of 5.35 upland acres on the subject site and the MHDR category’s density cap of 35 units per net developable acre, approval of the requested PD-MHDR future land use designation would yield a total of 187 multi-family dwelling units—significantly fewer than the 252 desired by the applicant, unless a CAI Permit is also approved. The applicant’s CAI Permit application, CAI-20-03-022, entailing proposed impacts to the 2.14 acres of onsite Class III wetlands and, potentially, the 0.34 acre of surface water, is currently undergoing review by EPD’s Environmental Permitting and Compliance Section. While the applicant anticipates approval of the CAI Permit application prior to the scheduled July 28, 2020, BCC adoption hearing for this proposed FLUM Amendment, staff emphasizes that the requested development program of 252 multi-family units is considered speculative at this point. Although supportive of the proposed change in future

land use from PD-C to PD-MHDR and the establishment of a new multi-family development program, the maximum number of units that can be considered at this time is 187.

In association with this requested amendment, the applicant has submitted a proposed substantial change to the currently-approved Valencia College Lane PD Land Use Plan (Case CDR-20-02-032) to establish the desired residential development program and revise the PD's present Conditions of Approval. Case CDR-20-02-032 is proceeding through the Orange County Development Review Committee (DRC) review process and is expected to be considered in conjunction with the FLUM Amendment application during the July 28 BCC adoption hearing. Staff notes, though, that approval of a substantial change request based on a revised development program of 252 multi-family units is also contingent upon approval of the CAI Permit application.

Community Meeting

A community meeting for the proposed amendment was held on March 5, 2020, at Little River Elementary School. No members of the public were in attendance.

2. Future Land Use Map Amendment Analysis

Consistency

The requested FLUM amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

The subject property is located in an urbanized area characterized by a mix of educational institutions, single-family residential subdivisions, multi-family communities, and office development. The Valencia College School of Public Safety is located directly south of the site, with the Valencia College East Campus situated less than one mile to the east. Several smaller educational institutions are also located in the immediate area, including Polytechnic University of Puerto Rico – Orlando, situated just west of the Valencia College East Campus, and Asbury Theological Seminary, which lies directly west of the subject property. Staff notes that in 2015, Asbury Theological Seminary laid the groundwork for a future campus expansion via the November 17, 2015, approval of Future Land Use Map Amendment 2015-2-A-3-1 and Rezoning Case LUP-15-08-236 (Asbury Theological Seminary PD/LUP) that incorporated the 16.57 acres of former State Road 417 right-of-way that border the subject site to the north and west into the campus and entitled the 37 acres for the development of up to 750,000 square feet of commercial and office uses, including additional classroom, meeting, and administrative office space to support the existing facility.

In addition to its proximity to the aforementioned educational institutions, with a sizeable collective student, faculty, and staff population, the subject site lies in the vicinity of several other major employers, including AdventHealth East Orlando and Lockheed Martin, making it well situated for residential development. In addition, the property is located in close proximity to the State Road 417/State Road 408 interchange, providing for easy access to downtown Orlando and Interstate-4 to the west, the University of Central Florida to the north, and Lake Nona/Medical City to the south. As discussed above, the applicant is seeking the PD-MHDR FLUM designation to allow for the development of a 252-unit multi-family project on a vacant infill site within the County's Urban Service Area (USA) boundary. Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with

a range of choices and living options. In the same vein, the request is consistent with **Future Land Use Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

Staff further finds this request consistent with **Future Land Use Element Objective OBJ FLU2.2**, which states that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive planning and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently, and promoting a sense of community. Likewise, this proposal is consistent with **Future Land Use Element Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. Staff notes that if approved, the residential project will use infrastructure that is already in place. Per Orange County Utilities (OCU), potable water and wastewater service will be furnished by OCU, with no facility improvements necessary to maintain level of service standards. Moreover, the project would use the existing transportation network, which serves transit riders, bicyclists, and pedestrians, as well as automobile drivers. Sidewalks extend along both sides of Valencia College Lane and connect to the network of sidewalks in the surrounding residential neighborhoods, and there are dedicated bicycle lanes along both sides of Valencia College Lane. The Little Econ Greenway is located approximately 1.3 miles north of the subject property, and the Azalea Park Trail is planned for construction roughly one mile west of the site.

With respect to transit, there are two LYNX bus stops on the north side of Valencia College Lane in close proximity to the subject property: one immediately east of the site, the other to the west, near the entrance to the Asbury Theological Seminary. Per the Transportation Planning Division, Link 15 services the area and provides connections to multiple destinations, including the Valencia College East Campus, AdventHealth East Orlando, and LYNX Central Station.

As noted previously, the subject property is situated in an area characterized by a variety of housing types, primarily single-family detached homes and apartments. The proposed FLUM Amendment and associated residential development program are consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant's intent to construct up to 252 multi-family units—contingent upon the approval of the CAI Permit application—is consistent with **Housing Element GOAL H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Similarly, **Future Land Use Element Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is staff's belief that the proposed multi-family community will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**.

Staff-Initiated Text Amendment

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy

FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 2020-1-S-FLUE-1. The maximum development program for Amendment 2020-1-S-3-2, if adopted in the absence of an approved Conservation Area Impact (CAI) Permit, will be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2020-1-S-3-2</u> <u>Valencia College Lane</u>	<u>Planned Development-Medium-High Density Residential (PD-MHDR)</u>	<u>Up to 187 multi-family dwelling units</u>	<u>2020-</u>

As discussed previously, the consideration of the applicant’s requested development program of 252 multi-family dwelling units is dependent upon the approval of the current CAI Permit application, CAI-20-03-022, prior to the BCC adoption hearings for this proposed FLUM Amendment and associated staff-initiated text amendment.

Compatibility

The proposed Future Land Use Map Amendment appears to be **compatible** with the development pattern of the surrounding area.

The requested FLUM amendment appears to be **compatible** with the development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and trend of the area. As discussed earlier, the subject property is located in an urbanized area characterized by a mix of educational institutions, single-family residential subdivisions, multi-family communities, and office development. In addition to the site’s close proximity to the Valencia College East Campus, the Valencia College School of Public Safety, and other educational institutions, it is located in the vicinity of regional transportation corridors and such major employers as AdventHealth East Orlando and Lockheed Martin, adding to its suitability for residential development. It is staff’s belief that the proposed multi-family project would contribute to the County’s larger goals of promoting infill and compact urban form within the Urban Service Area, providing for a range of living options, efficiently using existing infrastructure, and reducing trip lengths. Staff, therefore, recommends adoption of this requested amendment.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division:

Planning Division Note: Subsequent to the receipt of the comments below, CAD-19-11-192 was completed. On February 10, 2020, the Environmental Protection Division (EPD) issued Conservation Area Determination CAD-19-11-192, with an expiration date of February 10, 2025. CAD-19-11-192 established that the 7.83-acre subject parcel is comprised of 5.35 upland acres, 2.14 acres of Class III

wetlands, and 0.34 acre of surface water (the onsite portion of a drainage canal along the property's east boundary that is hydrologically connected to the Little Econlockhatchee River). A Conservation Area Impact (CAI) Permit application, CAI-20-03-022, entailing proposed impacts to the 2.14 acres of onsite Class III wetlands and, potentially, the 0.34 acre of surface water, is presently undergoing EPD review.

February 7, 2020, EPD Comments:

Two Class III wetlands and a Class I canal hydrologically connected to the Little Econlockhatchee River are located onsite. Conservation Area Determination application CAD-19-11-192 was submitted for this project and is in progress. The CAD must be completed, with a certified wetland boundary survey approved by EPD, in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas, prior to approval of this amendment application. CAD 00-108 was previously completed for this site.

Until wetland permitting is complete, the net developable area is uncertain, but is estimated at less than six (6) acres. The net developable area is the gross area less the wetlands and surface waters area. The buildable area is the net developable area less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) Permit from EPD, in addition to an approved CAD. Approval of this request does not authorize any direct or indirect conservation area impacts.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern). The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated November 8, 2019, reported that no listed species were observed onsite.

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to Orange County Code Sections 30-277 and 30-278.

Transportation Planning Division: The Transportation Planning Division's trip generation analysis indicates that the development of up to 512,000 square feet of commercial uses (per the approved traffic study) under the subject property's current PD-C future land use designation will generate 1,606 p.m. peak hour trips. The proposed development of up to 274 multi-family dwelling units (also per the traffic study) under the requested PD-MHDR future land use designation is projected to generate 121 new p.m. peak hour trips, resulting in a net decrease of 1,485 p.m. peak hour trips. Therefore, Transportation Planning notes, there is no impact to the study area roadways.

The subject property is located within the County's Alternative Mobility Area (AMA), with multiple alternative transportation modes available in the surrounding area. County-maintained sidewalks

exist along both sides of Valencia College Lane within the quarter-mile study radius and continue both east and west outside the study area. Sidewalks are also in place along both sides of William C. Coleman Drive. There are accessible crosswalks serving east/west pedestrians along the roadway, but no north/south crossings within one-half mile of the site at this time. The nearest existing trail is the Little Econ Greenway, located approximately 1.3 miles north of the property, and the Azalea Park Trail is proposed for construction approximately one mile west of the site. In addition, there are dedicated bicycle lanes within the project's impact area along Valencia College Lane and William C. Coleman Drive on both sides of the road.

With respect to transit, LYNX bus link 15 services the area. This LYNX route provides connections to multiple destinations, including LYNX Central Station, AdventHealth East Orlando, and Valencia College East. There are two bus stops (none sheltered) within the project's impact area. Several additional stops (benches) and one shelter exist along Valencia College Lane outside of the quarter-mile study radius. Lastly, final permitting of any development on this site will be subject to further review and approval by Transportation Planning.

Utilities Engineering Division: The subject property lies within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, a 16-inch water main is located within the Valencia College Lane right-of-way. In regard to wastewater, a 6-inch forcemain is in place within the Valencia College Lane right-of-way. Reclaimed water, however, is presently unavailable in the vicinity of the site. OCU has informed staff that no improvements to County facilities to maintain current level of service (LOS) standards are needed at this time.

Orange County Public Schools: Per the December 9, 2019, School Capacity Determination (OC-19-100) issued by Orange County Public Schools (OCPS), capacity is currently available at the elementary, middle, and high schools that will serve the project (Little River Elementary, Union Park Middle, and Colonial High, including the 9th Grade Center). A Capacity Enhancement Agreement (CEA) will not be required.

3. Policy References

Goal FLU2 – URBAN STRATEGIES. Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU2.1 INFILL. Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

OBJ FLU2.2 – Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community.

OBJ FLU8.2 – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.1 – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County’s desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2– Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

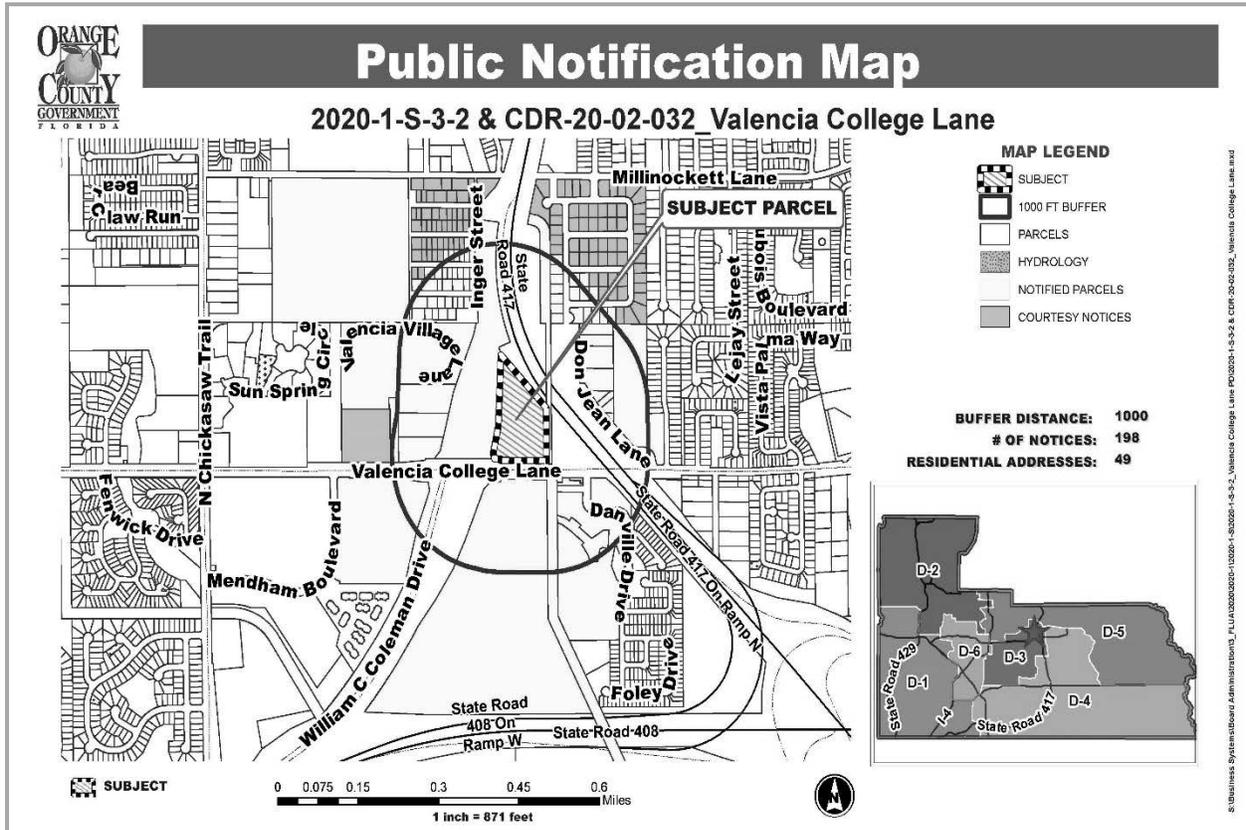
GOAL H1 – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

OBJ H1.1 – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

Site Visit Photos

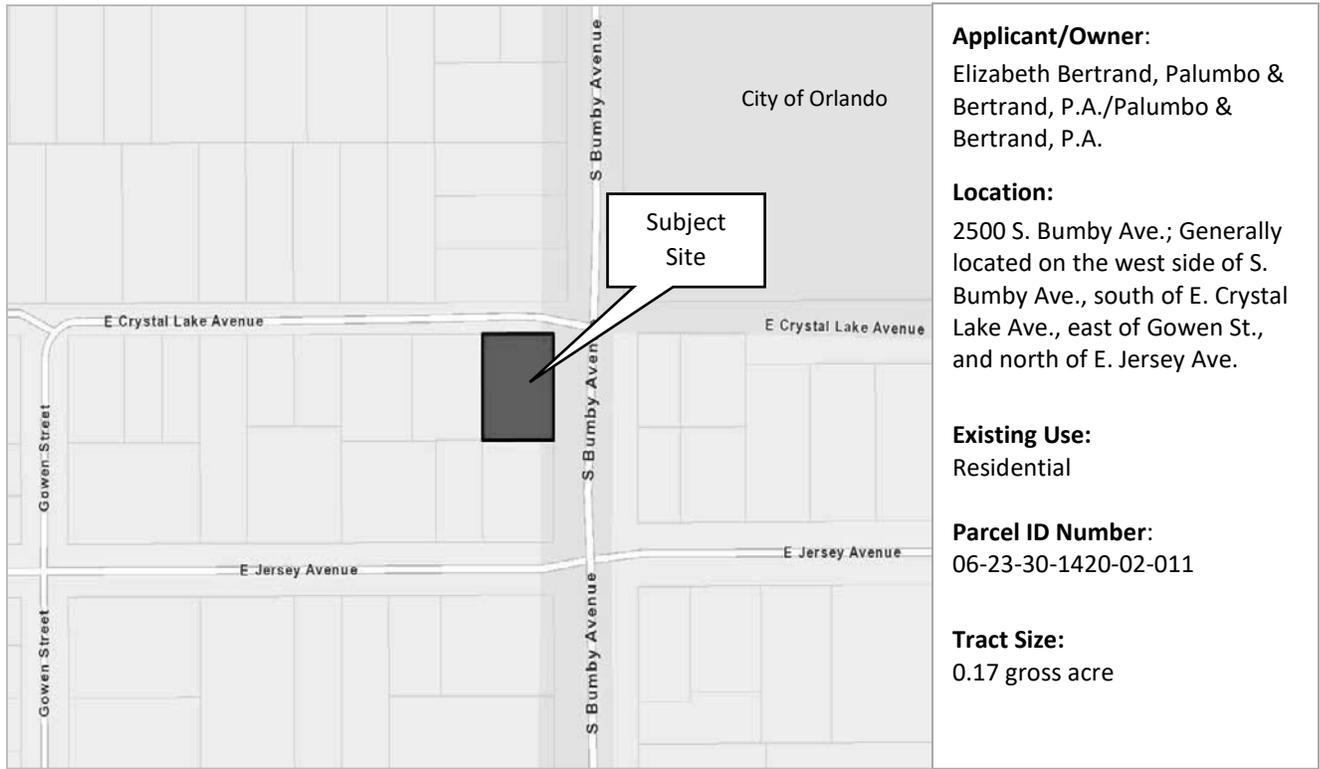
Subject Site	
	
North of Subject Site	South of Subject Site
	
West of Subject Site	East of Subject Site
	

PUBLIC NOTIFICATION MAP



Notification Area

- 1,000+ feet plus neighborhood and homeowners’ associations within a one-mile radius of the subject site
- 198 notices sent



Applicant/Owner:
 Elizabeth Bertrand, Palumbo & Bertrand, P.A./Palumbo & Bertrand, P.A.

Location:
 2500 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.

Existing Use:
 Residential

Parcel ID Number:
 06-23-30-1420-02-011

Tract Size:
 0.17 gross acre

+The following meetings and hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome	Request: Low-Medium Density Residential (LMDR) to Office (O)	
✓ Community Meeting March 2, 2020 (196 notices sent; 0 people in attendance)	Positive	Proposed Development Program: To allow for the development of up to 1,900 square feet of office uses.	
✓ Staff Report	Recommend adoption of the proposed amendment and approval of the concurrent rezoning request, subject to 1 variance and 2 restrictions	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.	
✓ LPA Adoption	Recommend adoption of the proposed amendment (9-0)	Transportation: The subject property is located within the County's Alternative Mobility Area. The proposed amendment will result in a net increase of two p.m. peak hour trips.	
✓ PZC Rezoning Hearing	Recommend approval of the concurrent rezoning request, subject to 1 variance and 2 restrictions	Environmental: If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division about the septic system permit application, modification, or abandonment.	
BCC Adoption	July 28, 2020	Concurrent Rezoning: Yes – RZ-20-04-074	
BCC Rezoning Hearing	July 28, 2020	Request: R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District)	

SITE AERIAL



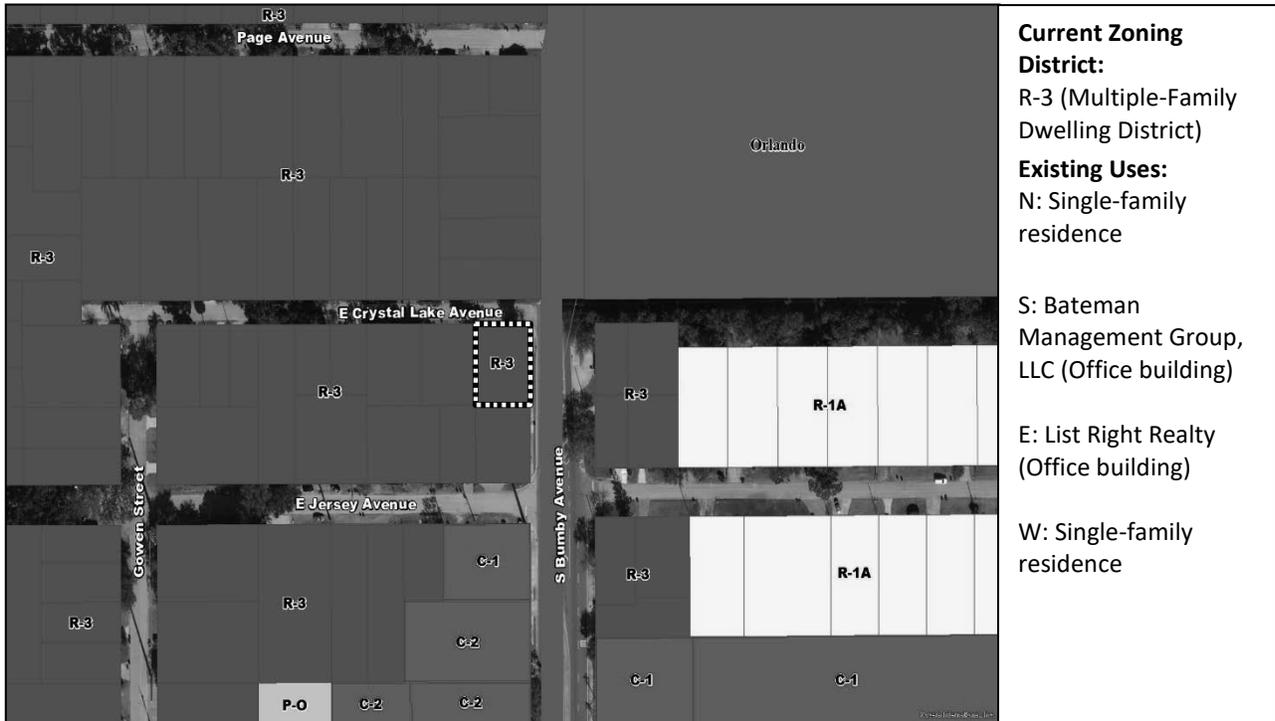
FUTURE LAND USE - CURRENT



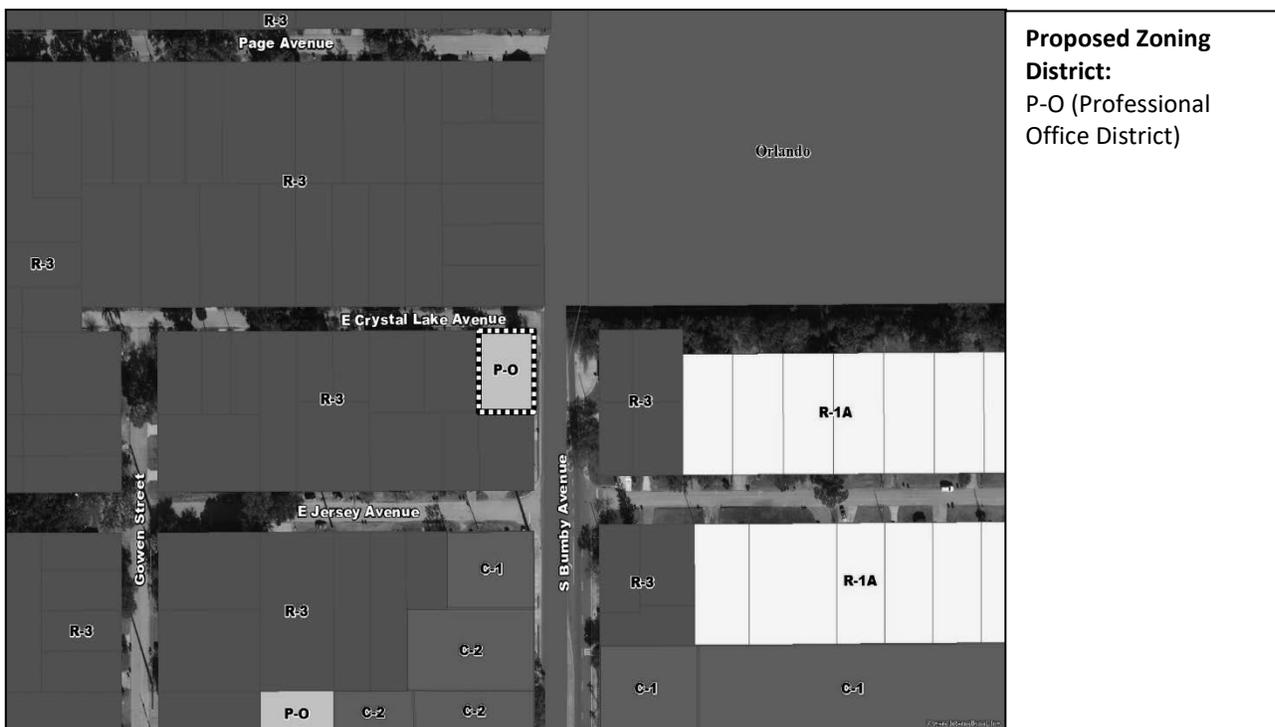
FUTURE LAND USE - AS PROPOSED



ZONING - CURRENT



ZONING - AS PROPOSED



Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.4.A, FLU1.1.5, FLU2.2.1, FLU8.2.1, and FLU8.2.10), determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-S-3-4, Low-Medium Density Residential (LMDR) to Office (O).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.4.A, FLU1.1.5, FLU2.2.1, FLU8.2.1, and FLU8.2.10), and recommend **APPROVAL** of Rezoning Case RZ-20-04-074, R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District), subject to the following one (1) variance and two (2) restrictions:

Variance:

1. A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 7,536 square feet, in lieu of the required 10,000 square-foot lot area in the P-O zoning district.

Restrictions:

1. New billboards and pole signs shall be prohibited; and
2. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of P-O uses.

Analysis

1. Background and Development Program

The applicant and property owner, Elizabeth Bertrand, Palumbo & Bertrand, P.A., has requested to change the Future Land Use Map (FLUM) designation of the 0.17-acre site from Low-Medium Density Residential (LMDR) to Office (O). In conjunction with the FLUM Amendment, the applicant has applied for a rezoning of the site (Case RZ-20-04-074) from R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District). Due to the site's size, a variance to lot size from Orange County Section 38-1501 is also being requested.

The subject property is located at the southwest corner of S. Bumby Avenue and E. Crystal Lake Avenue. Presently, a 1,823-square-foot single-family home, constructed in 1980, occupies the site and is currently being used as a rental home. The subject property is located in an area characterized by a mix of commercial, office, and residential uses along S. Bumby Avenue. An office building, Bateman Management Group, LLC, is located immediately south of the subject site, has a LMDR FLUM designation and is zoned R-3. Even though this property has a residential future land use designation and residential zoning classification, the building has always been used for commercial uses since the building was constructed in 1933 per Orange County Division of Building Safety's building permit #B09001639. Another office building, List Right Realty, is located directly across the street on S. Bumby Avenue, east of the subject site, has a LMDR FLUM designation and is also zoned R-3. Although this property also has a residential future land use designation and

residential zoning classification, the Orange County Zoning Division approved the real estate office as a nonconforming use on October 24, 2006. Residential homes are located north and west of the subject site, and have LMDR FLUM designations and are zoned R-3. Commercial uses are located further south of the subject property at the corner of S. Bumby Avenue and E. Michigan Street. A 200-unit apartment complex, Celano Apartments, is located northeasterly of the subject property at the southeast corner of S. Bumby Avenue and E. Crystal Lake Avenue.

The applicant, Ms. Bertrand, is requesting to change the FLUM designation of the subject property from LMDR to Office and to rezone the property from R-3 to P-O in order to use the subject property for her small law office, Palumbo & Bertrand, P.A. Ms. Bertrand stated her law office provides legal services to the local community and currently the staff consists of two attorneys and one assistant. If the proposed amendment and rezoning requests are approved, the owner will have to proceed through the commercial site plan review process to convert the existing residential structure to office space.

A community meeting was held for the proposed FLUM Amendment and concurrent rezoning requests on March 9, 2020. 127 meeting notices were mailed, but no members of the public attended.

2. Project Analysis

Consistency

The requested FLUM Amendment and associated rezoning applications appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan and the development pattern of the surrounding area. The proposed amendment is consistent with **Future Land Use Element Goal FLU2**, which encourages urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. This proposed FLUM Amendment is also consistent with **Policy FLU1.1.5**, which states that Orange County shall encourage mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area (USA). The proposed FLUM change is consistent with **Policy FLU2.2.1**, which states that within the USA, Orange County, shall encourage a mix of land uses within activity and mixed-use commercial centers. As established in this policy, office and residential land uses shall be part of the balanced land use mix, in addition to the commercial component. The proposed amendment and associated rezoning are also consistent with **Policy FLU1.1.4.A**, which establishes that office uses may be considered a transitional use between two different types of land use or land use intensities. The Office (O) designation will provide a transitional use between the commercial development to the south along S. Bumby Avenue and the existing single-family homes located north and west of the subject site.

Compatibility

Objective FLU8.2 states that compatibility will continue to be the fundamental consideration in all future land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As mentioned previously, the subject property is located within an area characterized by a mix of commercial,

office, and residential uses along S. Bumby Avenue. An office building, Bateman Management Group, LLC, is located immediately south of the site, and a real estate office, List Right Realty, is located directly across the street from the subject parcel, while residential homes abut the property to the north and west. Commercial businesses (The Bird Store, Orlando Auto Sports [used automobile sales], and Michigan Center Shopping Plaza) are located further south along S. Bumby Avenue. To ensure the proposed office development does not disrupt the existing single-family residences to the north and west, the development will be subject to the design standards outlined within **Policy FLU8.2.10**. These standards include building height restrictions, architectural design compatibility, floor area ratio (FAR) limitations, lighting type and location requirements, tree protection and landscaping requirements, and parking design. The small scale professional office development would be compatible with the surrounding area as it would serve as a transition between commercial and residential uses. Therefore, staff recommends approval of Amendment 2020-1-S-3-4, Low-Medium Density Residential (LMDR) to Office (O) and concurrent Rezoning Case RZ-20-04-074, R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District).

Division Comments: Environmental, Public Facilities and Services

Environmental. If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also, refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Utilities. Per Orange County Utilities (OCU), the subject property lies within the Orlando Utilities Commission's (OUC) potable water service area and the City of Orlando's wastewater and reclaimed water service areas.

Transportation. Based on trip generation estimates from the 10th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the maximum allowable development of one (1) single-family dwelling unit based on the current land use designation of Low Density Residential would generate approximately 1 p.m. peak hour trip, while the 1,900-square-foot proposed office building under the requested Office future land use designation would generate 3 p.m. hour trips resulting in a net increase of 2 new p.m. peak hour trips.

Analysis of the project trips from the currently approved under future land use verses the proposed use indicates that the proposed office building will result in an increase of 2 p.m. peak trips and therefore has an insignificant impact on the study area roadways.

However, based on the Concurrency Management System Database, all roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered. Note:

The subject property is located within the County’s Alternative Mobility Area.

The allowable development based on the approved future land use will generate 1 p.m. peak hour trip.

The proposed use will generate 3 new p.m. peak hour trips resulting in net increase of 2 p.m. peak hour trips.

The subject property is located adjacent to S. Bumby Avenue, a two-lane Urban Class II road. This facility currently does not have any deficient roadway segments within the project’s impact area.

The following is a list of alternative modes within the project area: There are existing County maintained sidewalks along S. Bumby Avenue (both sides south of E. Crystal Lake Avenue and north of E. Grant Avenue), E. Grant Avenue (east of S. Bumby Avenue) and E. Michigan St. (east of S. Bumby Avenue), Clark Street, and Fielding Court. There are existing city maintained sidewalks along E. Michigan Street (west of S. Bumby Avenue). There existing marked crosswalks at the intersection of E. Michigan Street and S. Bumby Avenue to the south, and E. Grant Avenue and S. Bumby Avenue to the north. The intersections along S. Bumby Avenue between E. Michigan Street and E. Grant Avenue do not have any marked crosswalks. LYNX bus link 3, Lake Margaret services the area. There are eight (8) bus stops (one sheltered) within the project area.

There are not any bicycle routes/lanes within the project impact area.

3. Rezoning Analysis

SITE DATA

Adjacent Zoning	N:	R-3 (Multiple –Family Dwelling District) (1957) <i>(Across E. Crystal Lake Avenue)</i>
	E:	R-3 (Multiple –Family Dwelling District) (1957) <i>(Across S. Bumby Avenue)</i>
	W:	R-3 (Multiple –Family Dwelling District) (1957)
	S:	R-3 (Multiple –Family Dwelling District) (1957)
Adjacent Land Uses	N:	Single-Family Dwelling
	E:	Office
	W:	Single-Family Dwelling
	S:	Office

APPLICABLE P-O (Professional Office District) DEVELOPMENT STANDARDS

Minimum Lot Area:	10,000 sq. ft.
Minimum Lot Width:	85 ft.
Maximum Building Height:	35 ft.
Minimum Floor Area:	500 sq. ft.

Minimum Building Setbacks

Front:	25 feet
Rear:	30 feet
Side:	10 feet (for one- and two-story buildings, plus 2 for each additional story)
Side (Street):	15 feet

PERMITTED USES

The intent and purposes of the P-O professional office district are:

1. To provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies.
2. To establish standards which will promote high quality site development of individual office structures and larger office centers, both of which are properly oriented towards arterial roads and compatible with adjoining properties.
3. To encourage the provision of professional services at the neighborhood and community levels, and to provide sites large enough to permit landscaped open spaces and off-street parking facilities.
4. To recognize the growing importance of the county as a regional service center and the need to accommodate the increasing service demands of the resident and tourist populations.

A use shall be permitted in the P-O district if the use is identified by the letter "P" in the use table set forth in section 38-77.

SPECIAL INFORMATION

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Water / Wastewater / Reclaim

Existing service or provider

Water: Orlando Utilities Commission

Wastewater: City of Orlando

Reclaimed: City of Orlando

Schools

Orange County Pubic Schools (OCPS) did not comment on this case as it does not involve an increase in residential units or density.

Parks and Recreation

Orange County Parks and Recreation did not comment on this case as it does not involve an increase in residential units or density.

Code Enforcement

No code enforcement issues.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Policy References

Goal FLU2 — URBAN STRATEGIES. Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.4 (A) OTHER URBAN RELATED OPTIONS – The following are non-residential Future Land Use designations that are predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within OBJ FLU6.2.)

FLUM Designation	General Description	Density/Intensity
Urban Non-Residential – Predominantly urban in use		
Office (O)	Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities.	1.25 FAR

FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land

Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

FLU1.4.4 – Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component.

FLU2.2.1 – Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component.

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.10 – To ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- A. Building height restrictions;
- B. Requirements for architectural design compatible with the residential units nearby;
- C. Floor area ratio (FAR) limitations;
- D. Lighting type and location requirements;
- E. Tree protection and landscaping requirements including those for infill development; and
- F. Parking design.

Site Visit Photos

Subject Site



North

South

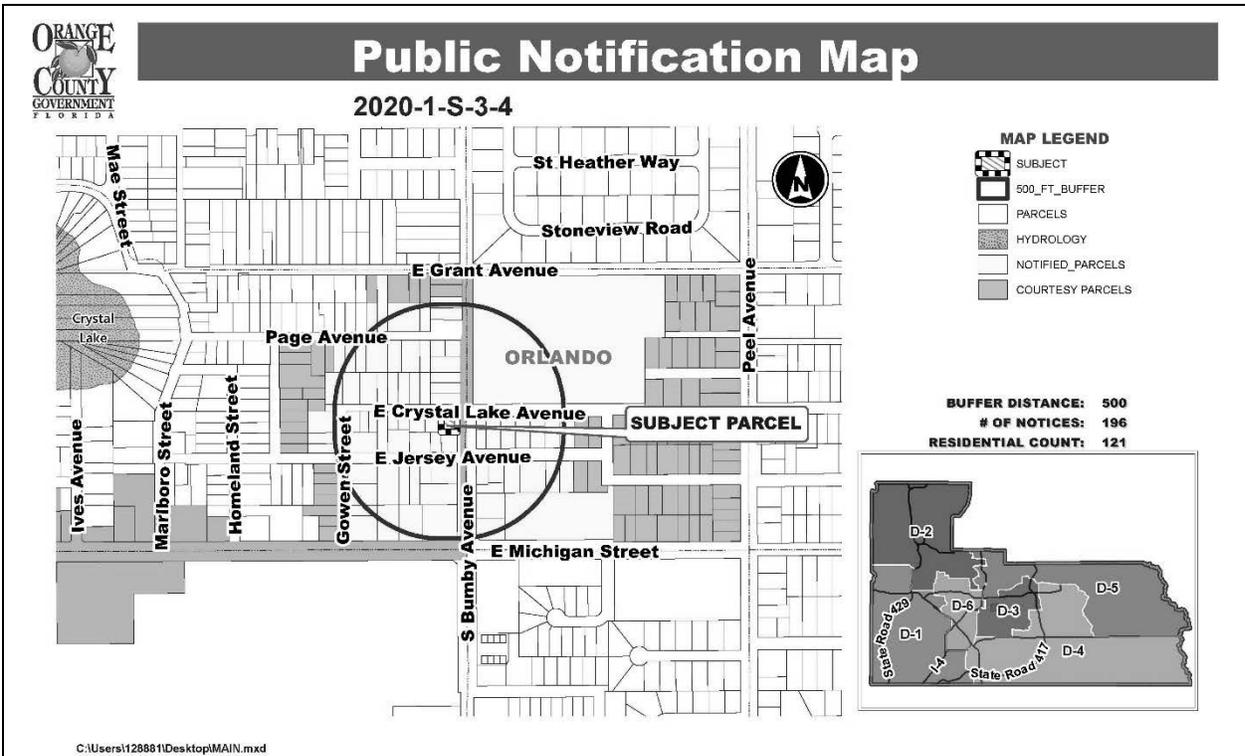


East

West



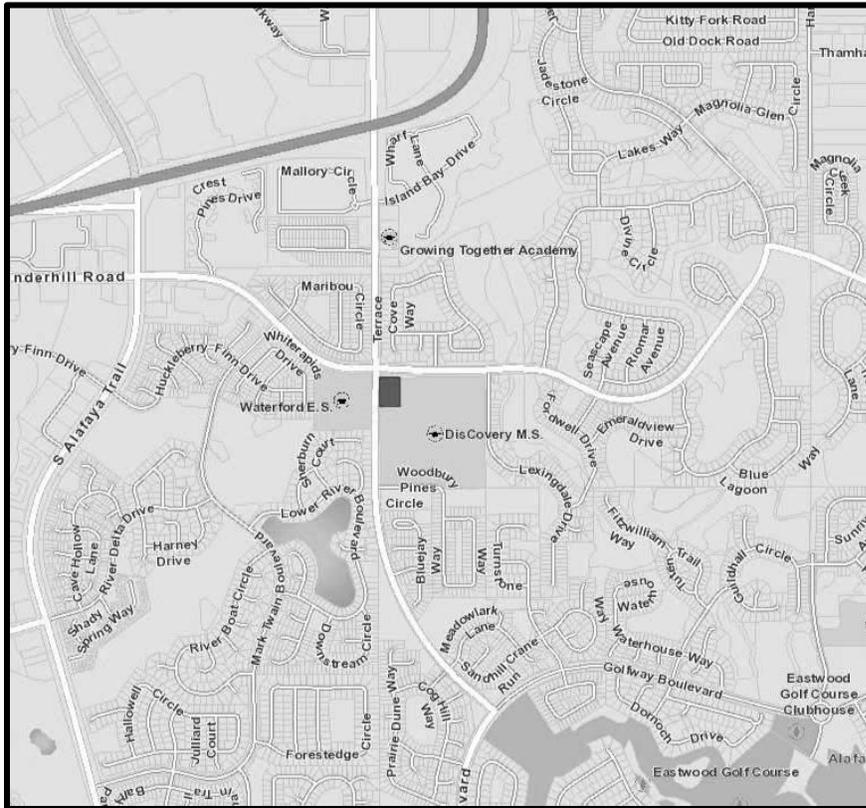
PUBLIC NOTIFICATION MAP



Notification Area

500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site

196 notices sent



Applicant/Owner:
 Carlos A. Rivero/707
 Woodbury LLC

Location:
 707 Woodbury Road;
 Generally located in the
 southeast corner of the
 intersection of Woodbury Rd
 and Lake Underhill Rd.

Existing Use:
 Undeveloped

Parcel ID Number(s):
 26-22-31-0000-00-014

Tract Size:
 1.8 gross/net developable
 acres

The following meetings/hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome	<p>Future Land Use Map Amendment Request: From Low-Medium Density Residential (LMDR) to Medium-High Density Residential (Senior Housing) (MHDR) (Senior Housing)</p> <p>Concurrent Rezoning: From R-2 (Residential District) to P-D (Planned Development District) (Gardens at Waterford Lakes)</p> <p>Proposed Development Program: Up to 63 senior housing dwelling units</p> <p>Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.</p> <p>Environmental: CAD-19-09-135 and impact permit CAI-19-11-065.</p> <p>Transportation: A net increase of 4 p.m. peak hour trips. The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips.</p> <p>Orange County Public Schools: CEA is not required for senior housing.</p>	
✓	Community Meeting held March 11, 2020		Approx. 80 residents in attendance - Negative
✓	Staff Report		Recommend Do Not Adopt and Do not Approve
✓	LPA Adoption PZC Rezoning Hearing July 16, 2020		Recommend Do Not Adopt (5-3) and Do not Approve (5-3)
	BCC Adoption BCC Rezoning Hearing		July 28, 2020

SITE AERIAL



FUTURE LAND USE - CURRENT



FUTURE LAND USE - AS PROPOSED



ZONING - CURRENT



Current Zoning District:
 R-2 (Residential District)

Existing Uses
 North:
 Waterford Lakes Tract and Single-Family Residential
 South:
 Middle School (Discovery Middle)
 East:
 Middle School
 West:
 Elementary School (Waterford Elementary)

ZONING – AS PROPOSED



Proposed Zoning District:
 P-D (Planned Development) (Gardens at Waterford Lakes)

Staff Recommendations

If the requested Comprehensive Plan amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

3. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **inconsistency** with the Comprehensive Plan (see Future Land Use Policies OBJ FLU1.1, FLU1.1.2(B), OBJ FLU2.1, FLU1.4.2, FLU1.4.21, OBJ FLU8.2, FLU8.2.1, FLU8.2.11, and Neighborhood Element OBJ N1.1), determine that the amendment is not in compliance, and recommend **DO NOT ADOPT** Amendment 2020-1-S-4-1, Low-Medium Density Residential (LMDR) to Medium-High Density Residential (MHDR) (Senior Housing).
4. **REZONING REQUEST LUP-20-01-001:** (May 27, 2020 DRC Recommendation) Make a finding of **inconsistency** with the Comprehensive Plan and recommend **DENIAL** of the Gardens at Waterford Lakes Planned Development/Land Use Plan (PD/LUP), dated "Received April 14, 2020".

ALTERNATIVE REZONING ACTION

Make a finding of consistency with the Comprehensive Plan and APPROVE the Gardens at Waterford Lakes Planned Development / Land Use Plan (PD/LUP), dated "Received April 14, 2020", subject to the following conditions:

1. Development shall conform to the Gardens at Waterford Lakes Land Use Plan (LUP) dated "Received *," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received *," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a

"promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. The required road right-of-way for Woodbury Road shall be conveyed to the County via separate instrument prior to Construction Plan Approval.
7. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan

(PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.

8. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
10. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
11. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
12. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PD.
13. Short term / transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
14. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
15. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
16. This multi-family project is limited to a senior housing community intended and operated for occupancy by persons fifty-five (55) years or older, as set forth in Section 22.55 of the Orange County Code, as may be amended.
17. The following waivers from Orange County Code are granted:

- a. A waiver from Section 38-1258(a) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 1 story within 100' of single-family zoned property.
- b. A waiver from Section 38-1258(b) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 3 story or 40' height within 100-150' of single-family zoned property.
- c. A waiver from Section 38-1258(c) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of a maximum of 3 story within 150' of single-family zoned property.
- d. A waiver from Section 38-1258(d) to allow 4 story / 60' tall multi-family building in lieu of a maximum 3 story building.
- e. A waiver from Section 38-1258(e) to allow parking and / or paved areas within 10' in lieu of 25' of single-family zoned property.
- f. A waiver from Section 38-1258(f) to not require a 6' masonry, brick, or block wall adjacent to single-family zoned property.
- g. A waiver from Section 38-1254(i) to allow setbacks of 20' for rear (east side of property) and 15' for the sides (north and south sides of property) in lieu of 25'. The front setback will be a minimum of 25'.
- h. A waiver from Section 38-1476(a) to allow 1.2 parking spaces in lieu of 1.5 spaces per 1 bedroom unit and 1.7 parking spaces in lieu of 2 spaces per 2 bedroom unit.
- i. A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per three (3) units in lieu of the required one (1) shade tree per unit.

1. Background Development Program

The applicant, Carlos Rivero, representing the property owner 707 Woodbury LLC, submitted an application with a request to change the Future Land Use Map (FLUM) designation from Low-Medium Density Residential (LMDR) to Medium-High Density Residential (MHDR) for property located at 707 Woodbury Road. The petitioned site consists of one parcel with 1.8 gross/net developable acres. The site is undeveloped.

In conjunction with the FLUM Amendment, the applicant applied for a zoning change from R-2 (Residential Dwelling District) to PD (Planned Development District). Provided the future land use map amendment is approved, the density represents the maximum development potential; the actual development may be lower depending on site constraints or other issues to be addressed at the P-D (Planned Development) rezoning stage. A P-D (Planned Development District) zoning ensures that development will occur according to limitations of use, design, density, coverage and phasing stipulated on an approved development plan. (Orange County Code Sec. 38-1201).

The site is undeveloped. The proposal is to develop up to sixty-three (63) senior housing units. The table below provides information about the proposed amendment.

Table 1 Existing and Proposed Development

	Existing	Requested
Future Land Use	Low-Medium Density Residential	Medium-High Density Residential
Zoning	R-2 (Residential Dwelling District)	P-D (Planned Development District)
Density	10 dwelling units an acre Up to 18 dwelling units	35 dwelling units an acre Up to 63 dwelling units



Figure 1 Intersection of Woodbury Road (north/south) and Lake Underhill Road (east/west).

The subject property is located at the southeast corner of the intersection of Woodbury Road and Lake Underhill Road. There is approximately 361 feet of frontage on Woodbury Road and approximately 229 feet abutting Tract E of the Waterford Lakes Subdivision along Lake Underhill Road Drive. Woodbury Road is a two-lane, north/south roadway between Colonial Drive and Woodbury Pines Drive, while the southern section between Woodbury Pines Drive and Golfway

Boulevard, the southern terminus of Woodbury Road, is two lanes with a landscaped median. There is a continuous sidewalk along the western side of Woodbury Road between Golfway Boulevard and Colonial Drive and intermittent sidewalk along the eastern side. There is a sidewalk adjacent to the subject site between Lake Underhill Road and Golfway Boulevard.

Lake Underhill Road, north of the petitioned site is a four-lane, east/west divided roadway between Alafaya Trail and Bluewater Circle. The section of Lake Underhill between Bluewater Circle and Jade Forest Circle, the eastern terminus of Lake Underhill Road, is two lanes with a center turn lane. The intersection at Woodbury Road has a dedicated right-turn lane and two dedicate left-turn lanes. There is a continuous sidewalk on both sides of Lake Underhill Road, , between Alafaya Trail and Jade Forest Circle.

BUS ROUTES AND STOPS – The nearest LYNX bus stop is approximately 0.75 miles from the subject property at Woodbury Road and Waterford Lakes Parkway, as shown on the LYNX system map below.

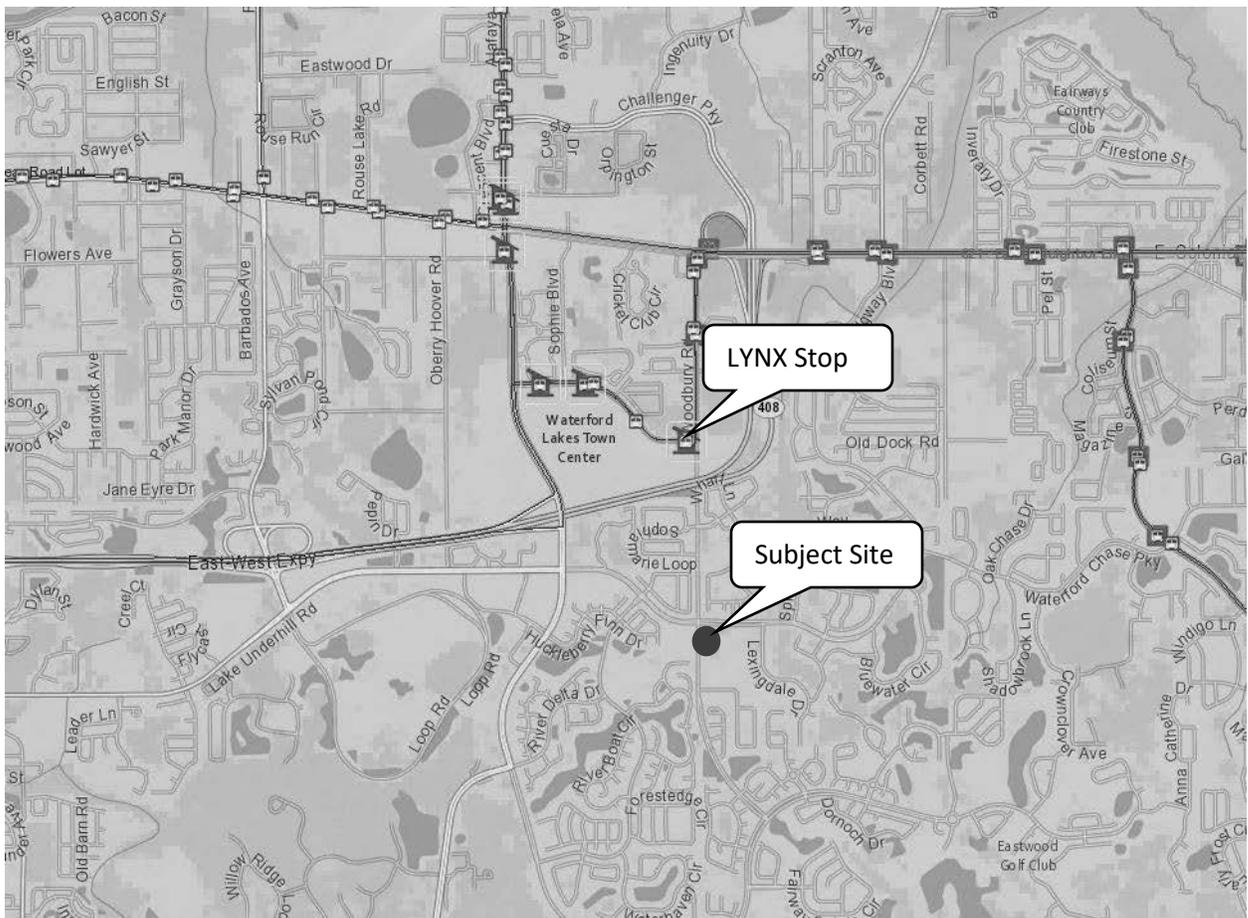


Figure 2 LYNX system map accessed online 03/31/2020 golync.com

Development in the area is suburban in character. Waterford Lakes Town Center, a regional shopping center, is located approximately 1 mile northwest of the petitioned site. Commercial uses are concentrated in clusters (or nodes) at intersections at North Alafaya Trail and Lake

Underhill Road, Island Bay Drive and Woodbury Road, Waterford Lakes Parkway and Woodbury Road, and East Colonial Drive and Woodbury Road. The commercial development can be described as automobile oriented with large parking lots fronting the major street with the buildings set along the rear of the property. There are outparcels at some the sites which include drive-through restaurants, pharmacies, and banks. Two (2) apartment complexes are located north of the subject property at Island Bay Drive/Mallory Circle and Woodbury Road, Waterford East Apartments and Tortuga Bay. There is a condominium association at Lake Underhill Road and Crest Pines Drive. To the north, east, south, and west of the site are residential uses, primarily single-family detached.

Uses immediately surrounding the site include a fifty foot (50') landscaping tract to the north adjacent to Lake Underhill Road. North of this are single-family residences. East and south of the site is Discovery Middle School. The school building is to the east and the athletic track is to the south of the petitioned site. South of Discovery Middle School are single-family residences. West of the site is Waterford Elementary School.

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FUTURE LAND USE AND ZONING SURROUNDING THE SITE

FUTURE LAND USES

The future land use map below shows the future land use designations surrounding the petitioned site. The Future Land Use Designations and general requirements are in the Orange County Comprehensive Plan in the Future Land Use (FLU) Element. Two key terms to understand are Urban Service Area and net developable acres. The Urban Service Area (USA) was established in the 1980 Growth Management Policy and adopted into the Comprehensive Plan in 1990. The USA is the “area of Orange County in which a full range of existing urban services, including central water and sewer, transportation access, primary drainage, fire, schools, libraries, recreation, and health facilities, either presently exist or are planned to be available...”¹. Net developable acres is defined in **Future Land Use Element Policy FLU1.1.2(C)** as the “gross land area, excluding surface waters and certain conservation areas from the land area calculations.”



Figure 3 Future Land Use Map

The designations to the east and west are Institutional (INST). **Future Land Use Element Policy FLU1.1.4(A):** “Other Urban Related Options” describes Institutional (INST) uses as including public and private utilities, facilities, structures and lands that serve a public or quasi-public purpose. The maximum floor area ratio is 2.0. Public schools that have been designated Institutional may continue to maintain that designation².

¹ Orange County Growth Management Policy, Chapter 2, page II-8

² The Educational (EDU) future land use designation is specific to public schools.

The Low Density Residential (LDR) designation, as described in **Future Land Use Element Policy FLU1.1.2(B)**, is located on property located west of the subject site. This land use is intended for new residential projects within the Urban Service Area where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single-family to small lot single-family development. The maximum density is up to four (4) dwelling units per net developable acre.

The Low-Medium Density Residential (LMDR) designation, as described in **Future Land Use Element Policy FLU1.1.2(B)**, is located on the subject site and on property located north of the site. This land use recognizes low- to medium-density residential development within the Urban Service Area, including single-family and multi-family residential development. The maximum density is ten (10) dwelling units per net developable acre.

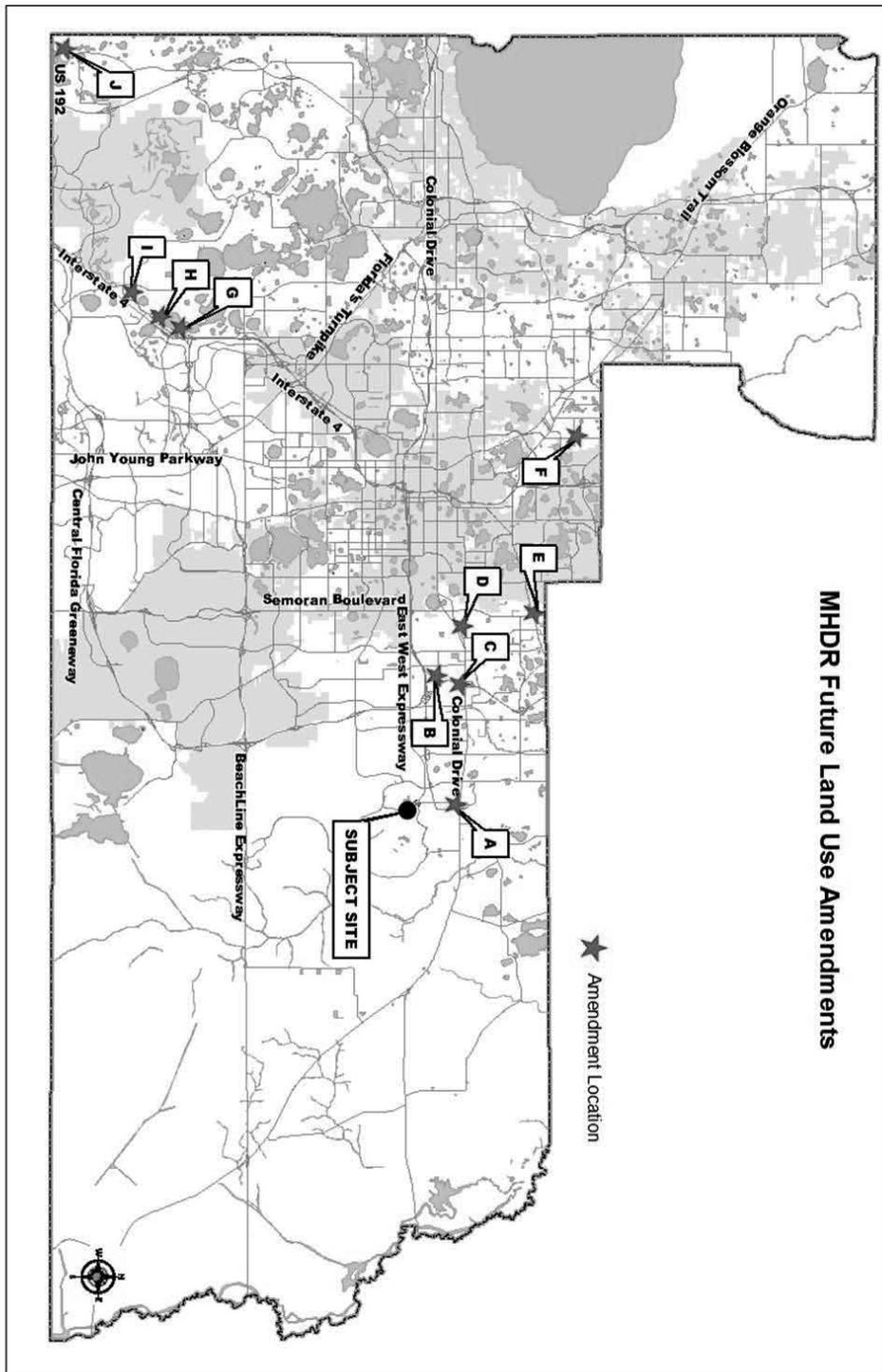
The Medium Density Residential (MDR) designation, as described in **Future Land Use Element Policy FLU1.1.2(B)**, is located on property northwest of the subject site. This land use recognizes urban-style multi-family residential densities within the Urban Service Area. The maximum density is twenty (20) dwelling units per net developable acre.

Map 1 on the following page indicates the Medium-High Density Residential (MHDR) Future Land Use Designations within a two-mile buffer of the petitioned site, while the next map, Map 2, indicates the location of approved MHDR requests. The MHDR future land use designation was adopted by the Board of County Commissioners November 14, 2017 and became effective December 31, 2017 (Ordinance 2017-19). As explained in the staff report (2017-2-B-FLUE-4):

Medium-High Density Residential development will be less dense than High Density Residential and would allow for development that could support public transit and neighborhood serving amenities within a reasonable pedestrian walk shed. This type of development is suited for an area where High Density Residential is too intense to be compatible with the surrounding area but Medium Density Residential does not provide the density needed to support neighborhood serving amenities. This provides an opportunity to provide a walkable neighborhood living as opposed to suburban development or high-intensity urban-style development.

As adopted in the Future Land Use Element FLU1.1.2, MHDR recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed.

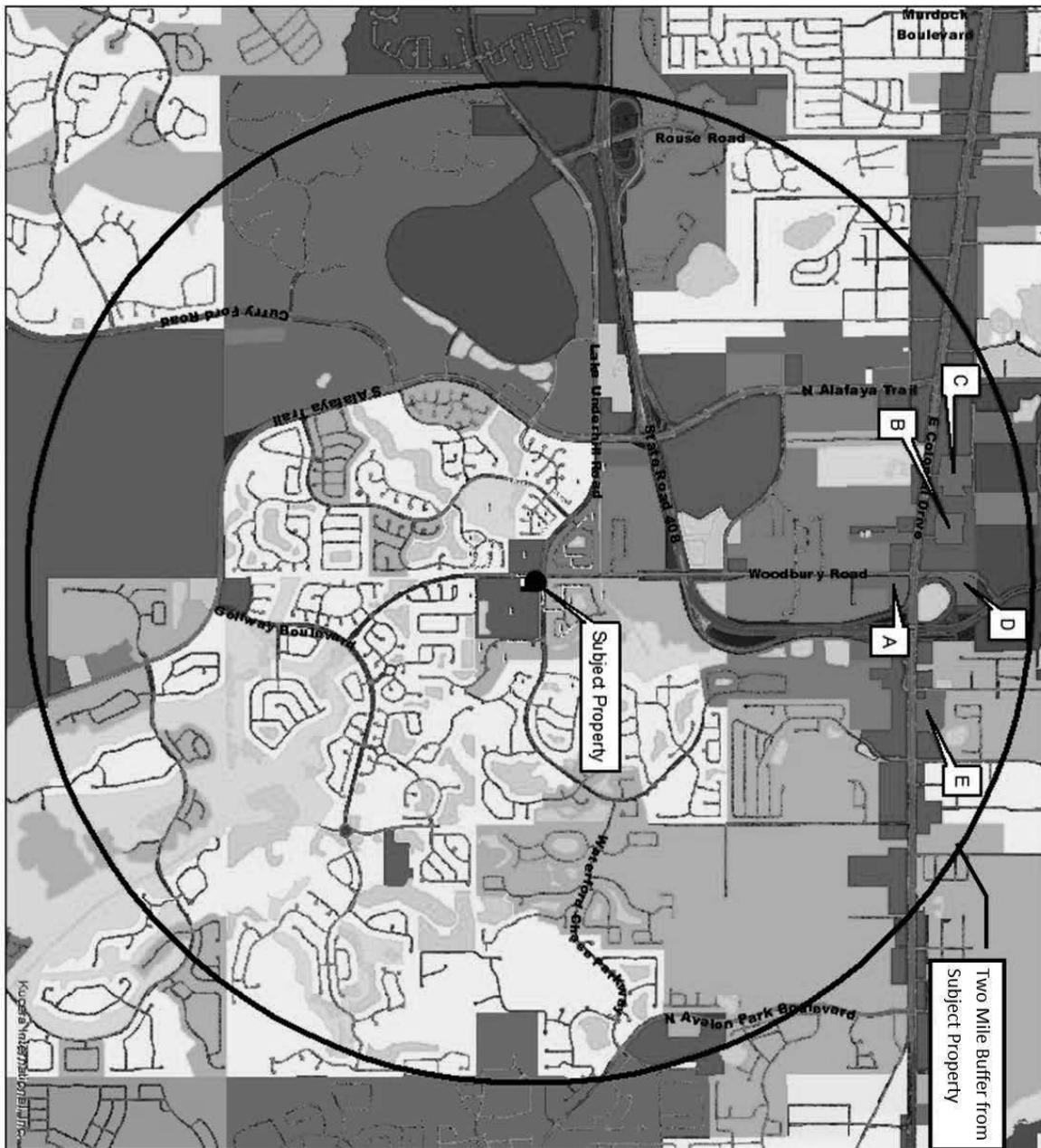
The purpose of Map 1 is to illustrate the location of approved MHDR requests in the County. As shown, these requests are along LYNX routes and located near neighborhood serving amenities. Map 2 shows the location of MHDR and HDR future land use designations within a two-mile radius from the petitioned site. As illustrated in the map, these designations are concentrated along Colonial Drive which is served by LYNX and has a mixture of commercial and office uses.



The Medium-High Density Residential (MHDR) future land use designation was adopted by the Board of County Commissioners on November 14, 2017 and became effective December 31, 2017. Ordinance 2017-19. Amendment 2017-2-B-FLUE-4

Map 1

Map Number	Acreege	Future Land Use Designation FROM	Future Land Use Designation TO	Proposed Development	LYNX Route	Distance from Subject Site	BCC Outcome
A	10.08 acres	C	MHDR	256 multi-family units	Yes—West of site on Woodbury .1 mile from site	1.5 miles north	APPROVAL
B	7.83 acres	C	MHDR	274 multi-family units	Yes—South of site on Valencia College Lane .1 mile from site	5 miles northwest	July 28, 2020
C	10.6 acres	C	MHDR (Senior Housing)	371 multi-family units Senior Housing	Yes—North of site on Colonial Drive .3/.4 mile from site	6 miles northwest	July 7, 2020
D	10.09 acres	C	MHDR	350 multi-family units	Yes—South of site on Colonial Drive .2 mile from site	8.5 miles northwest	APPROVAL
E	6.89 acres	MDR	MHDR	190 multi-family units Senior Housing	Yes—East of site on Senoran .1 mile South of site on Aloma .2 mile	12 miles northwest	APPROVAL
F	3.51 acres	MDR	MHDR	122 multi-family units	Yes—East of site on Forest Lake Rd .1 mile from site	20 miles northwest	Continued
G	52.04 gross ac / 16.82 net ac.	PD-TS/MDR/HOTEL/O	PD-TS/MHDR/HOTEL/O	424 multi-family units THIS NUMBER REMAINED THE SAME	Yes—South of site on Palm Parkway .25 mile from site	25 miles southwest	APPROVAL
H	79.5 net acres	ACMU, ACR, LMDR	PD-C/MHDR	1,300 multi-family units 415,142 sq. ft. commercial	Yes—North or south of Palm Parkway .1 to .4 depending on site location	27 miles southwest	APPROVAL
I	17.74 acres	ACMU	PD-C/MHDR	400 multi-family units 15,000 sq. ft. C-1 uses	Yes—South of the site on Lake Street .1 mile from	28 miles southwest	APPROVAL
J	18.33 acres 1.33 acres	GC-C	GC-PD-MHDR	360 multi-family units	Yes—South of the site on US 192 .3 mile from site	38 miles southwest	APPROVAL



Future Land Uses within Two Miles from Subject Property



- Legend**
- Rural *
 - Low Density Residential
 - Low-Medium Density
 - Medium Density
 - Residential
 - Traditional Neighborhood
 - Office
 - Commercial
 - Industrial
 - Institutional
 - Parks/Rec...
 - Preservation
 - Planned Development
 - Water Body
 - Subject Property

Map 2

Map Letter	Amendment	From	To	Acres	Development	Density
A	2019-2-A-4-2	C	PD-MHDR	10.08	256 multi-family dwelling units	25.6 d/u acre
B	2013-1-S-5-1	C	PD-HDR	8.59 acres	300 multi-family dwelling units	35 d/u acre
C	2019-1-A-5-1	C	PD-C/MDR	12.2 acres	620 bed/162 units (student housing) Or 802,375 sq. ft. commercial	13.2 d/u acre
D	2006-2-A-5-1	N/A	PD-HDR	9.34 acres	192 multi-family dwelling units (student housing)	20.5 d/u acre
E	2016-2-A-5-1	C/O/LMDR	PD-C/HDR	10.45 acres	296 multi-family dwelling units	28 d/u acre

commercial or industrial uses or both; planned commercial centers with complementary and compatible residential or industrial use or both;

- To allow diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land uses on abutting properties;
- To ensure that development will occur according to limitations of use, design, density, coverage and phasing stipulated on an approved development plan; and
- To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas.

There are two (2) P-D (Planned Development) land use plans in the immediate area, Waterford Lakes and Eastwood. The subject parcel and what is now Discovery Middle School were not included as part of the Waterford Lake Planned Development or the Eastwood Planned Development.

The Waterford Lakes Planned Development Land Use Plan (then known as Huckleberry) was originally approved in May 1983. Through various amendments, the PD is currently approved for 5,553 single-family dwelling units; 3,084 multi-family dwelling units; 1,187,107 square feet of commercial uses; 700,450 square feet of mixed use; 21,200 square feet of office uses; and an identified special event area.

The Eastwood (then known as Deer Run South) Planned Development Land Use Plan was originally approved in December 1987, and expanded in 1993 to cover an additional area of 557 acres. The PD is currently approved for 1,917 single-family and 403 multi-family units, for a total of total 2,320 dwelling units, and 100,000 square feet of commercial uses.

COMMUNITY MEETING

A community meeting occurred March 11, 2020, at Waterford Elementary School. There were approximately eighty (80) members of the community present. They expressed unanimous opposition to the request. A summary of the meeting is included in the appendix to this report.

2. Future Land Use Map Amendment Analysis

Consistency

The requested Future Land Use Map (FLUM) amendment and concurrent rezoning request appear to be **inconsistent** with the applicable Goals, Objectives, and Policies of the Orange County Comprehensive Plan.

Future Land Use Objective FLU1.1 directs growth and development into the Urban Service Area (USA). The petitioned site is within the County's USA. The request is consistent with this policy. As the parcel is located within the Urban Service Area the future land use designations listed in Policy FLU1.1.2(B) contain the maximum residential densities permitted within the Urban Service Area for all new single-use residential development. The existing future land use is Low-Medium Density Residential (LMDR). As expressed in the policy this designation recognizes low- to medium-density residential development within the USA, including single-family and multi-family residential development. The maximum density is up to 10 dwelling units an acre. Under the existing future land use up to 18 dwelling units could be developed on the property. There are examples of LMDR in the immediate area.

The applicant is proposing Medium-High Density Residential. As expressed in **Future Land Use Element Policy FLU1.1.2(B)** this designation recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed. The maximum density permitted is up to thirty-five (35) dwelling units an acre. If approved, this would permit up to sixty-three (63) dwelling units. The applicant is proposing an age restricted multi-family residential development with sixty-three (63) units. The petitioned site is not located in a highly urbanized area and does not meet the requirement that MHDR be a transition in density between highly urbanized areas. This area is textbook suburban development with single-family residences located in single-point entry subdivisions with culs-de-sac and a lack of connectivity between residential subdivisions. Even for the nearby neighborhood that has developed under a land use of Medium Density Residential (≤ 20 DU/A), the actual constructed density is closer to five units per acre. There is a commercial center located at the southeast intersection of Lake Underhill Road and South Alafaya Trail that has a grocery store, restaurants, and a bank.

The policy requires the land use designation be located within an area that supports public transit. As previously noted, the nearest LYNX stop is 0.75 mile from the site. The area provides sidewalks and pedestrian activated crosswalks.

Future Land Use Objective FLU2.1 and Policy FLU1.4.21 encourage infill for relatively small, vacant, underutilized parcels within the County's core areas and Urban Service Area (USA). The request is consistent with the policy; however, a future land use map amendment would not be needed to be consistent as it could be developed with residential uses. The petitioned site's current LMDR designation is consistent with the policy. The site could be developed with residential uses and be similar to nearby land uses without a change in the future land use designation. The proposed change would increase the number of allowable residential units from eighteen (18) to sixty-three (63).

Neighborhood Element Objective N1.1 states that Orange County shall ensure that Future Land Use changes are compatible with or do not adversely impact existing or proposed neighborhoods. The existing future land use allows for residential development of up to 10 dwelling units an area. The proposed future land use allows for residential development of up to 35 dwelling units an area. The proposed density is not compatible with the existing neighborhood.

Compatibility

Future Land Use Element Objective FLU8.2 and Future Land Use Element Policy 8.2.1 require land use changes be compatible with the existing development and development trends in the area. The proposed Medium-High Density Residential (MHDR) future land use designation is not compatible with the existing development in the area. The petitioned property is located within an established residential area that is developed with single-family residences. Where multi-family uses have been developed in the area, they have future land use designations of Medium Density Residential (MDR) a future land use designation that permits up to twenty (20) dwelling units an acre.

Future Land Use Element Policy FLU1.4.2 requires that land use changes are compatible with and serve existing neighborhoods. The petitioned site is located within Waterford Lakes, an area that developed under the Waterford Lakes Land Use Plan. The Land Use Plan includes residential development and a "town-center" which is a suburban mall located at Alafaya Trail and Waterford

Lakes Parkway. With the exception of the multi-family development at Woodbury and Mallory Circle, existing multi-family in the area was developed as part of the Waterford Lakes development.

While **Policy FLU1.4.2** requires a land use change to be compatible with existing neighborhoods, **Policy FLU8.2.11** states, “compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the projects, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP (Comprehensive Plan). The CP shall specifically allow for such a balance of considerations to occur.” The request involves a land use that is residential, which is similar to the surrounding land uses. However, the request involves a density that is not compatible with the existing development pattern in the area and is intended for areas that are served by transit and act as a transition between higher densities than what is present.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division

Orange County Conservation Area Determination **CAD-19-09-135** and impact permit **CAI-19-11-065** were completed to delineate and remove the Class III wetland of 0.4 acre on site. This request shall comply with all related permit conditions of approval.

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply per Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Fire Rescue

The nearest Fire Station, Station 83, is located 1.3 miles from the subject site at 11950 Lake Underhill Road. This station is one of nine throughout the county that houses a ladder truck.

Transportation Planning Division

PROJECT SPECIFICS

Parcel ID:	26-22-31-0000-00-014
Location:	707 Woodbury Road; Generally located south of Lake Underhill Road, east of Woodbury Road, north of Woodbury Pines Circle, and east of Lexingdale Drive
Acreage:	1.8 (gross)
Request FLUM:	ntial (LMDR)

al (MHDR)

Request Zoning:

Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 18 dwelling units
Proposed Density/Intensity:	Up to 63 dwelling units

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing FLUM Allowance: 18 MF DU Existing Use: Undeveloped	13	100%	13
Proposed Use: Up to 63 Senior Attached dwelling units	17	100%	17
Net New Trips (Proposed Development less Allowable Development): 17-13=4			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: Woodbury Road RCA. The widening of Woodbury Road to a four-lane divided roadway from Lake Underhill Road to State Road (SR) 50. The study will also evaluate improvements to the intersection of Waterford Lakes Parkway and Woodbury Road. The RCA study is anticipated to begin May 2020 and to be completed by the end of July 2021. Construction is anticipated to begin 2026 and be completed by 2028.

Right of Way Requirements: Yes, Right-of-way needed for Woodbury Road and Lake Underhill Road intersection improvements.

Summary

The applicant is requesting to change 1.8 acres from LMDR to MHDR and requests approval to develop an up to 63 dwelling units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

However, based on the Concurrency Management System Database, not all roadways within the project impact area operate at acceptable levels of service and capacity is not available to be encumbered.

- The subject property not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 13 pm peak hour trips.
- **The proposed use will generate 17 pm peak hour trips resulting in a net increase of 4 pm peak hour trips.**
- The subject property is located adjacent to Woodbury Road, a 2-lane Urban Class II road. Based on the Concurrency Management System (CMS) database dated 03-03-2020, this roadway currently operates at Level of Service D and capacity is available to be encumbered. All other roadway segments within the

project impact area do not operate acceptable levels of service. This information is dated and is subject to change.

- Based on the concurrency management system database dated 03-03-2020, the following roadway segments are operating below the adopted level of service standard within the project impact area:
 1. Alafaya Tr. from Science Dr. to E Colonial Dr. and from Lake Underhill Rd to Curry Ford Rd
 2. E Colonial Dr. from Avalon Park Blvd to South Tanner Rd
 3. Lake Underhill Rd between Dean Rd and Rouse Rd
 4. Woodbury Rd from Waterford Lakes Pkwy to E Colonial Dr.

This information is dated and subject to change.

- **Background traffic was developed based on the larger of a 2% annual growth rate or historical AADT trends within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.**
- **Analysis of short term (5 year) conditions indicate that several roadway segments within the project area are projected to operate below the adopted level of service standard in the PM Peak Hour:**
 1. Alafaya Tr. from Science Dr. to Golfway Blvd.
 2. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 3. E Colonial Dr. from Woodbury Rd to to Avalon Park Blvd
 4. Woodbury Rd from Lake Underhill Rd to E Colonial Dr.
- **Analysis of long term analysis year (2030) indicated that the same deficiencies will continue on the current deficient roadway segments and the proposed project will NOT impact the failing segments. The following roadway segments are projected to operate below the adopted Level of Service standards:**
 1. Alafaya Tr. from Science Dr. to Avalon Park Blvd.
 2. Avalon Park Blvd from E Colonial Dr. to Timber Springs/Crown Hill Rd
 3. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 4. Curry Ford Rd from Dean Rd to to Alafaya Tr.
 5. E Colonial Dr. from Rouse Rd to South Tanner Rd.
 6. Golfway Blvd from Woodbury Rd to Lone Palm Rd.
 7. Lake Pickett Rd from E Colonial Dr. to Kellygreen Drive/Seascape Ave.
 8. Woodbury Rd. from Golfway Blvd. to E Colonial Dr.

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips. These deficiencies can be attributed to background traffic. None of the net project trips per segment exceed the 3% of capacity significance level (highest @ 0.1%).

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

3. Rezoning Request Analysis

IMPACT ANALYSIS

Land Use Compatibility

The applicant is seeking to rezone the subject parcel from R-2 (Residential District) to PD (Planned Development District) in order to construct sixty-three (63) age-restricted multi-family housing units. The applicant is also seeking approval of nine (9) waivers to Orange County Code related to increased building height, reduced PD perimeter and parking/paved area setbacks, buffering between multi-family and single-family zones properties, reduced parking requirements, and reduced number of shade trees..

Although the surrounding area is zoned residential, the subject property is abuts Discovery Middle School to the south and east, Waterford Elementary School to the west, and is separated from the single-family subdivision to the north by a 45' wide Community Association owned Tract and a 120' wide Right-of-Way. The surrounding area is characterized by single-family residential subdivisions, with multi-family developments located farther north on Woodbury and west on Lake Underhill Road. The proposed development program has the potential to be inconsistent with existing development in the immediate area.

Community Meeting Summary

A community meeting was held for this request and the associated Comprehensive Plan Amendment (2020-1-S-1-4) was held on March 11, 2020, at Waterford Lakes Elementary School. Approximately 79 member of the public attended the meeting and expressed numerous concerns about the request including that it was an unsafe location, that it is inappropriate to place multi-family developments adjacent to schools, and that the development would exacerbate the already significant traffic congestion issues in the area.

APPLICABLE PD DEVELOPMENT STANDARDS

Maximum Building Height:	Sixty (60) feet / Five (5) Stories *Per Waiver Request
Minimum Living Area:	500 square feet
Maximum Coverage:	30%

Minimum Building Setbacks

Front Setback:	25 feet
Rear Setback:	20 feet (East Property Line)
Side Setback:	15 feet
Major Collector (Woodbury Rd):	35feet

SPECIAL INFORMATION

Subject Property Analysis

The subject property is current undeveloped and is generally located at the intersection of Woodbury Road and Lake Underhill Road, adjacent to Discovery Middle School. The surrounding area is developed with a middle school, an elementary school, and single-family residential subdivisions.

Through this request, the applicant is seeking to rezone 1.80 gross acres from R-2 (Residential District) to PD (Planned Development District) in order to construct 63 age-restricted multi-family dwelling units. The request also includes nine (9) waivers to Orange County Code related to increased building height, reduced PD perimeter and parking/paved area setbacks, buffering between multi-family and single-family zones properties, reduced parking requirements, and reduced number of shade trees.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Environmental

Orange County Conservation Area Determination CAD-19-09-135 and impact permit CAI-19-11-065 were completed to delineate and remove the Class III wetland of 0.4 acre on site. This request shall comply with all related permit conditions of approval.

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply per Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Transportation / Concurrency

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

Based on the concurrency management system dated January 22, 2020, there are several failing roadway segments within the project's impact area. A traffic study was submitted and reviewed by the Transportation Planning Division. Right-of-Way is required for Woodbury Road.

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed:	Orange County Utilities

Schools

Orange County Public Schools (OCPS) reviewed the request and determined that it will not impact public school capacity.

4. Policy References

- OBJ FLU1.1** Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development. FLU1.1.4 In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.
- FLU1.1.2**
- A. The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 1.1.10-r)
 - B. The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

FLUM Designation	General Description	Density
Urban Residential – Urban Service Area		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single family development.	0 to 4 du/ac
Low Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac
Medium-High Density Residential (MHDR)	Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed.	0 to 35 du/ac
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac
(Amended 8/92, Ord. 92-24, Policy 1.1.11-r; Amended 11/17, Ord. 2017-19)		

FLU1.4.2 Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

FLU1.4.21 Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

OBJ FLU2.1 **INFILL.** Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County’s established core areas in the Urban Service Area.

OBJ FLU8.2 **COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

FLU8.2.1 Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the projects, its urban form, the physical integration of a project and its

function in the broader community, as well its contribution toward the Goals and Objectives in the CP (Comprehensive Plan). The CP shall specifically allow for such a balance of considerations to occur.

OBJ N1.1 Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

<p align="center">Petitioned Site From Woodbury Road</p>	<p align="center">North – Landscaping Tract Waterford Lakes Landscaping Tract E</p>
	 <p>Source: Google Maps</p>
<p align="center">North – Lake Underhill and Single-Family</p>	<p align="center">East – Discovery Middle School</p>
 <p>Source: Google Maps</p>	 <p>Source: Google Maps</p>
<p align="center">South – Discovery Middle School</p>	<p align="center">West – Waterford Lakes Elementary School</p>
	

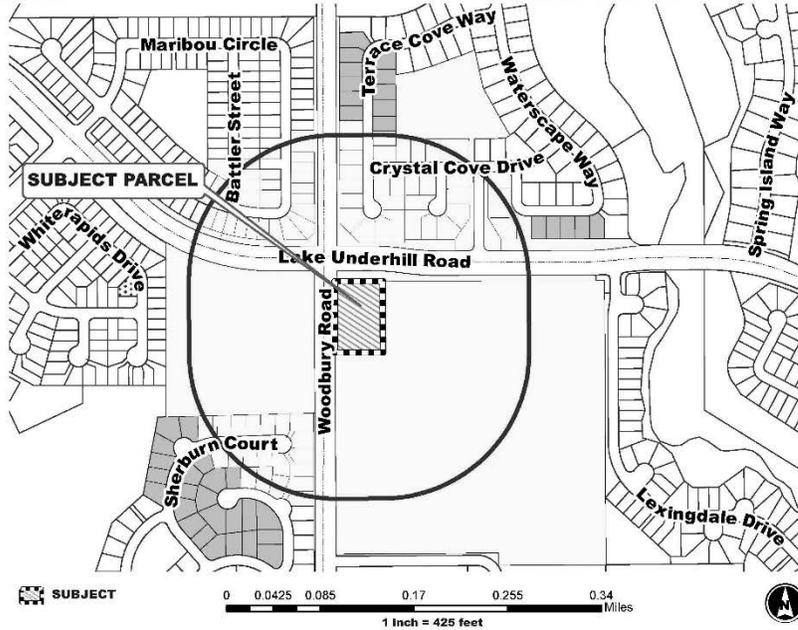


PUBLIC NOTIFICATION MAP



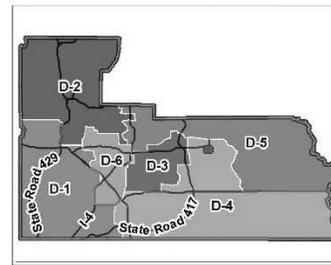
Public Notification Map

2020-1-S-4-1



- MAP LEGEND**
- SUBJECT
 - 700_FT_BUFFER
 - NOTIFIED_PARCELS
 - COURTESY NOTICES
 - PARCELS

BUFFER DISTANCE: 700
OF NOTICES: 192
RESIDENTIAL ADDRESSES: 84



S:\Business Systems\Board Administrations\3_F_LUA\2020\2020-1-S-4-1\2020-1-S-4-1-2020-1-S-4-1.mxd

Notification Area

700 feet plus homeowner associations within a 1 mile radius of the subject site

192 notices sent



Applicant/Owner:
 Rafael Santiago Casallas/
 Adriana I. Hincapie

Location:
 4301 S Rio Grande Avenue;
 Generally located east of S
 Rio Grande Avenue, south
 of 43rd Street, west of S
 Nashville Avenue, and
 north of 44th Street.

Existing Use:
 Undeveloped land (former
 duplex site)

Parcel ID Number:
 10-23-29-6152-04-110

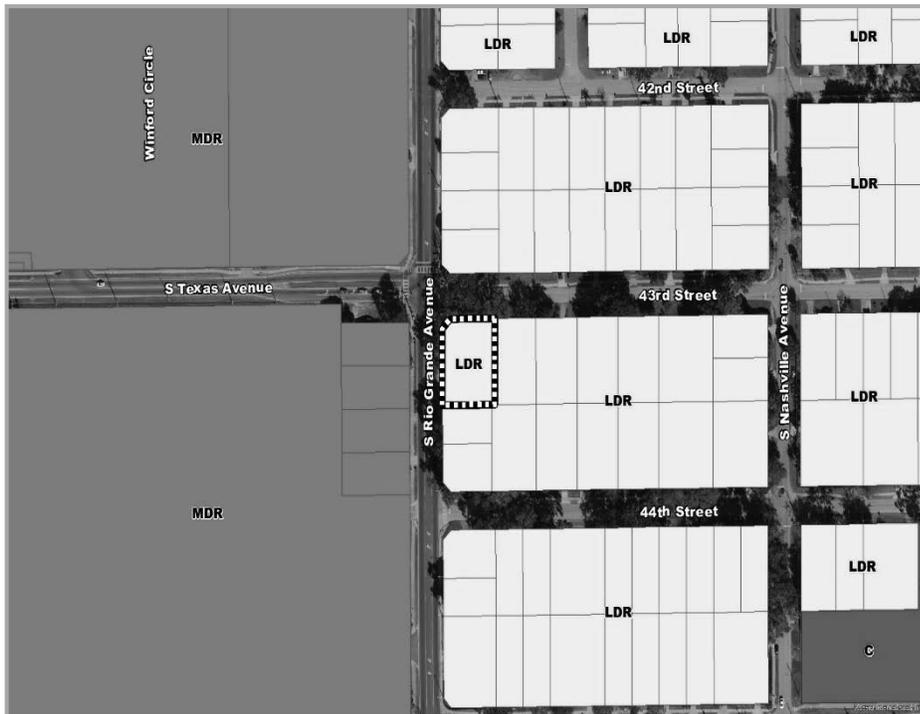
Tract Size:
 0.30 gross/net developable
 acre

The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome		
✓	A community meeting was held March 9, 2020.	No members of the public attended the meeting.	Request: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)	
✓	Staff Report	Recommend adoption of the proposed amendment and approval of the requested rezoning.	Proposed Development Program: Two (2) single-family detached homes	
✓	LPA Adoption Hearing July 5, 2020	Recommend adoption of the proposed amendment (8-0) and approval of the requested rezoning (9-0)	Concurrent Rezoning: RZ-20-04-067 R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)	
	BCC Adoption Hearing	July 28, 2020	<p>Public Facilities and Services: Please see the Public Facilities & Services Appendix for specific analysis of each public facility.</p> <p>Transportation: The subject property is located within the County's Alternative Mobility Area (AMA). The proposed development of two single-family homes will result in an increase of one p.m. peak hour trip.</p> <p>Utilities: The subject property is located within the Orlando Utilities Commission's (OUC's) potable water service area and Orange County Utilities' (OCU's) wastewater and reclaimed water service areas.</p> <p>Schools: The construction of two single-family homes will have a de minimis impact on area public schools.</p>	

SITE AERIAL



FUTURE LAND USE – CURRENT



Current Future Land Use:
 Low Density Residential (LDR)

Special Area Information

The subject property is located in the County's Alternative Mobility Area (AMA).

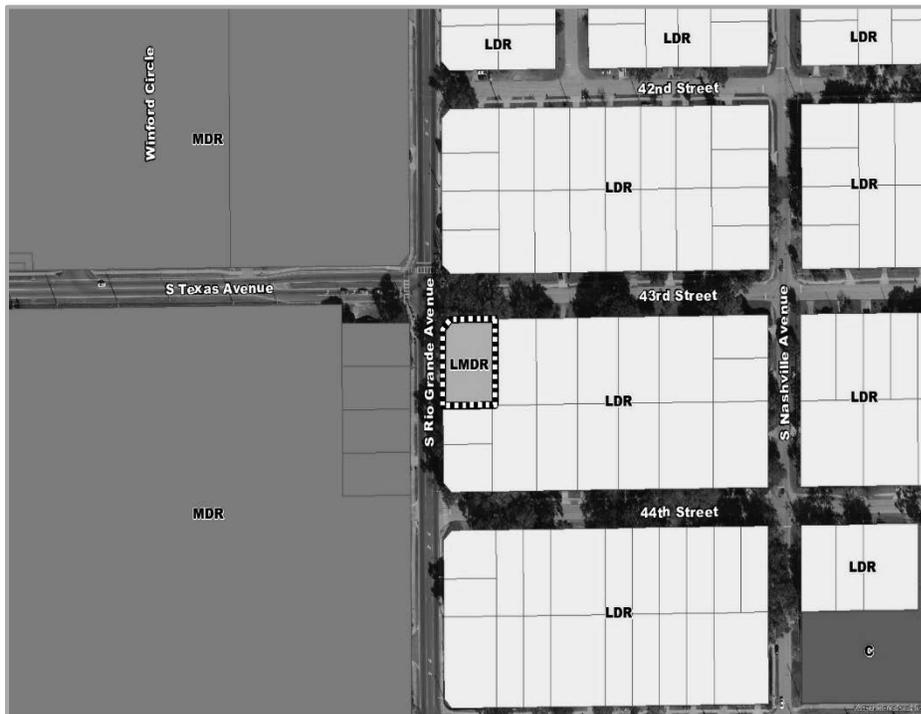
Overlay District: N/A

JPA: N/A

Rural Settlement: N/A

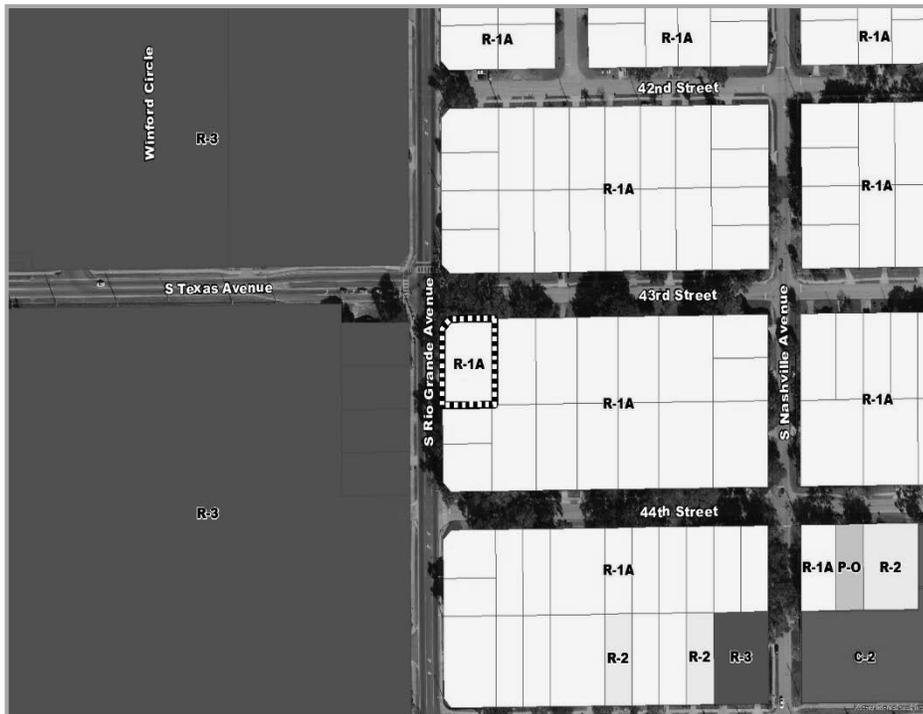
Airport Noise Zone: N/A

FUTURE LAND USE – PROPOSED



Proposed Future Land Use:
 Low-Medium Density Residential (LMDR)

ZONING – CURRENT

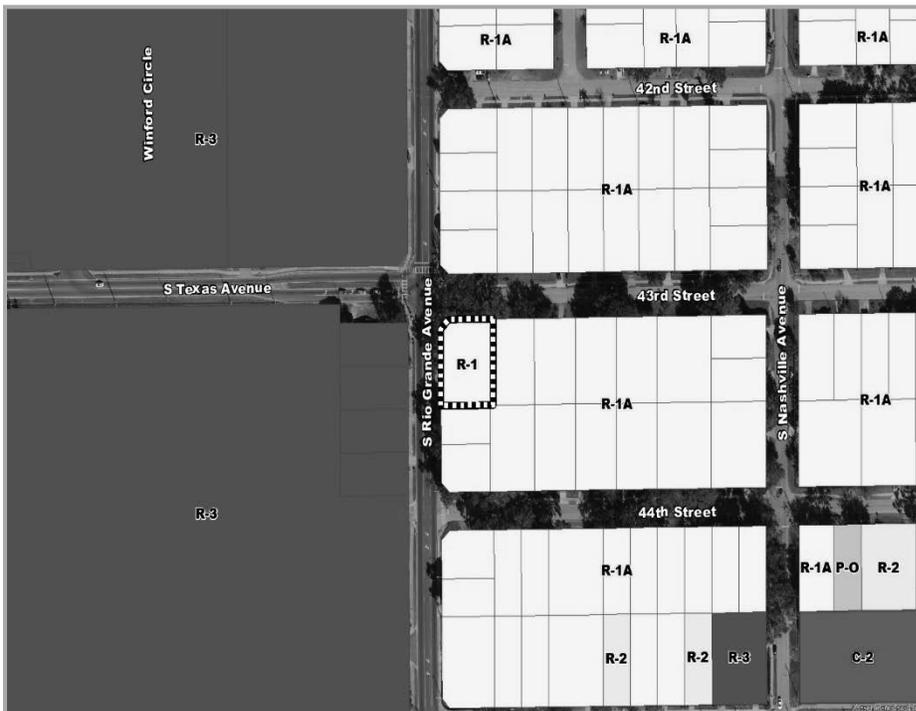


Zoning: R-1A (Single-Family Dwelling District)

Existing Uses:

- N: Single-family residence
- S: Single-family residence
- E: Single-family residence
- W: Single-family residence

ZONING – PROPOSED



Zoning: R-1 (Single-Family Dwelling District)

Staff Recommendations

If the proposed Comprehensive Plan amendment is adopted, the Board will then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **COMPREHENSIVE PLAN AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, and FLU8.2.1; and Housing Element Goal H1 and Objective H1.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-6-2, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, and FLU8.2.1; and Housing Element Goal H1 and Objective H1.1) and **APPROVE** Rezoning Case RZ-20-04-067, R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District).

Analysis

1. Background and Development Program

The applicant, Rafael Santiago Casallas, is seeking to change the Future Land Use Map (FLUM) designation of the 0.30-acre subject parcel, currently undeveloped, from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR). In conjunction with this requested amendment, the applicant is proposing to rezone the property from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District). The parcel was formerly the site of a dilapidated duplex, demolished in May 2013 by the Code Enforcement Division following the April 1, 2013, Orange County Special Magistrate hearing (SM2012-183367H) authorizing the County to foreclose against former owner Joaquin Claudio. At this time, it is the intent of the present owner, Adriana Hincapie, to divide the property into two lots and to construct a single-family detached home on each.

The subject property, located southeast of the intersection of S Rio Grande Avenue and 43rd Street, is situated within a residential area characterized by single-family detached homes and multi-family communities. As illustrated on the aerial photograph, development on the east side of S Rio Grande Avenue is primarily single-family residential, while multi-family complexes predominate on the west side of the road. Since the inception of zoning in the County on October 6, 1957, the subject parcel has possessed the R-1A zoning classification and was assigned the LDR future land use designation via the July 1, 1991, adoption of the Orange County Comprehensive Plan. As shown on the zoning and future land use maps, the majority of the parcels on the east side of S Rio Grande Avenue are likewise zoned R-1A and designated LDR on the Future Land Use Map, while those on the west side are uniformly zoned R-3 (Multiple-Family Dwelling District) and have a future land use designation of Medium Density Residential (MDR).

The site is comprised of two platted lots (Lots 11 and 12, Block D) in the Ohio Homesites, First Unit subdivision, recorded in Book K, Page 120 of the Public Records of Orange County on May 28, 1925. As depicted on the recorded plat, attached to this staff report as Exhibit "A", Lot 11 has a width of 50 feet and an area of 6,750 square feet, and Lot 12 measures 48 feet in width and 6,480 square feet in area. Presently, the two lots cannot be recognized as standalone building sites under the current R-1A zoning classification, as neither meets the minimum lot width requirement of 75 feet

nor the minimum lot area requirement of 7,500 square feet. Furthermore, with an area of .30 acre, the subject property falls short of the LDR future land use designation's minimum half-acre requirement for separation into two individual homesites, due to this category's density cap of four (4) dwelling units per net acre. For this reason, the applicant is requesting the LMDR future land use designation, with a maximum permitted density of ten (10) dwelling units per net acre, and a concurrent rezoning to R-1, with a minimum lot width requirement of 50 feet and a minimum lot area requirement of 5,000 square feet.

As illustrated on the recorded plat, the majority of the lots in the Ohio Homesites, First Unit subdivision were platted with a width of 50 feet and a depth of 135 feet, yielding an area of 6,750 square feet—consistent with the standards of the requested R-1 zoning classification and LMDR future land use designation. As shown on the plat, the two lots comprising the subject property are oriented toward 43rd Street, formerly known as Columbus Street. The owner is proposing to reconfigure the original lots to front S Rio Grande Avenue, similar to the neighboring properties lining S Rio Grande to the north and south, as shown on the current zoning, future land use, and aerial maps. Such a reconfiguration would provide each lot with a wider building envelope while preserving the character of the surrounding single-family community. If approved, each new lot will measure approximately 67.5 feet in width and 97.3 feet in depth, with an area of roughly 6,568 square feet, thereby meeting the standards of the R-1 zoning district, as established in Sec. 38-1501, Basic Requirements, of the Orange County Code.

It is staff's belief that the development of two single-family homes under the requested LMDR future land use designation and R-1 zoning classification would maintain the character of the surrounding residential neighborhood, allow for the redevelopment of a property that has been vacant for the past seven years, and add to the County's housing stock. Staff emphasizes, though, that if these two petitions are ultimately approved by the Board of County Commissioners (BCC), the applicant must submit a Subdivision Determination (lot split) application to the Orange County Zoning Division to create the two residential homesites, which must be approved before the redevelopment of the property may commence.

Community Meeting

A community meeting for the proposed amendment was held March 9, 2020, at Catalina Elementary School. No members of the public were in attendance.

2. Project Analysis

Consistency

The proposed FLUM Amendment and associated rezoning request appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

As discussed above, the 0.30-acre subject property is located within an established neighborhood characterized by single-family residential development on the east side of S Rio Grande Avenue and by multi-family activity on the west side. In the justification statement submitted with the amendment application, the applicant states that in the seven years since the demolition of the duplex that previously occupied the site, the property has been repeatedly littered with discarded objects, trash, and debris and has become a neighborhood eyesore. The applicant is seeking the LMDR future land use designation and R-1 zoning classification to allow for the construction of two

single-family detached homes while maintaining the integrity of the surrounding residential neighborhood.

It is staff's position that the subject property meets the definition of an infill site within the County's Urban Service Area (USA) Boundary. Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. This request is also consistent with **Future Land Use Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

Staff further finds the proposed amendment and associated rezoning consistent with **Future Land Use Element Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. If approved, the two single-family homes will use infrastructure that is already in place. Per Orange County Utilities (OCU), the subject property lies within the Orlando Utilities Commission's (OUC's) potable water service area and OCU's wastewater service area, although it appears that the prior duplex was served by an onsite septic system. Moreover, the redevelopment of the site for two single-family residences will have a de minimis impact on the public elementary, middle, and high schools for which it is zoned, rendering the applicant's entrance into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS) unnecessary.

Furthermore, the two homes will utilize the existing area transportation network, which serves transit riders and pedestrians, as well as automobile drivers. Sidewalks are in place along both sides of S Rio Grande Avenue, along the north side of S Texas Avenue, and throughout the surrounding residential neighborhood. To help further ensure pedestrian safety, a marked crosswalk extends across S Rio Grande Avenue at 43rd Street. Furthermore, there are four LYNX bus stops along S Rio Grande Avenue in the immediate vicinity of the subject property, including a stop situated approximately 200 feet south of the site. Per the Orange County Transportation Planning Division, Links 441 FastLynx 441, 107 Downtown Orlando/Florida Mall, 8 W. Oak Ridge Road/International Drive, 304 Lynx 3D: Rio Grande/Vistana Resort, and 40 American Boulevard/Universal Orlando provide transit service to the neighboring community.

As mentioned previously, the subject property is located in a residential area characterized by single-family detached homes and multi-family communities. The proposed FLUM Amendment and rezoning and the owner's intent to create two residential lots for the subsequent construction of a single-family detached home on each are consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The request is further consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. It is staff's belief that the proposed residential project will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**.

Compatibility

The requested FLUM Amendment and proposed rezoning appear to be **compatible** with the development pattern of the surrounding area. Future Land Use Element **Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with existing development and development trends in the area. As previously discussed, the 0.30-acre subject parcel is located in a residential neighborhood characterized by single-family detached homes and multi-family development. The owner's intent to redevelop the property—which has been vacant for the past seven years following the County's demolition of the dilapidated duplex that previously existed on the premises—for two single-family homesites is in keeping with the character of the surrounding neighborhood. As mentioned above, the Ohio Homesites, First Unit subdivision was recorded in May 1925, with a majority of the lots platted with a width of 50 feet and an area of 6,750 square feet, consistent with the standards of the requested R-1 zoning classification and LMDR future land use designation. The owner's proposed reconfiguration of the two platted lots comprising the subject property to front S Rio Grande Avenue, similar to other neighboring properties along S Rio Grande, would provide each lot with a wider building envelope while preserving the integrity of the surrounding residential community.

Staff believes that the proposed project would contribute to the County's larger goals of promoting infill and compact urban form within the Urban Service Area, efficiently using existing infrastructure, reducing trip lengths, and encouraging accessibility via multiple modes of transportation. Staff, therefore, recommends adoption of this requested amendment and the associated rezoning petition.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division. The Environmental Protection Division (EPD) notes that if a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification, or abandonment. Please refer to the Orange County Code, Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal, as well as the FDOH.

Transportation Planning Division. The Transportation Planning Division's trip generation analysis indicates that the development of the one single-family home permitted under the currently-approved LDR future land use designation will generate one p.m. peak hour trip. The proposed development of two single-family homes under the requested LMDR future land use designation is projected to generate two new p.m. peak hour trips, resulting in a net increase of one p.m. peak hour trip.

The subject property is located adjacent to S Rio Grande Avenue, a two-lane Urban Class II road. This facility currently has no deficient roadway segments within the project's impact area. Based on the County's Concurrency Management System Database, all roadways within the project's impact area operate at acceptable levels of service, and capacity is available to be encumbered.

Transportation Planning's analysis of planned and programmed roadway improvements reveals that a project is planned that will shift the eastbound approach north into the median to allow for sidewalk construction from the existing sidewalk on the south side of Texas Avenue to Rio Grande. The project also includes the construction of the sidewalk connection. Construction is anticipated to begin in April 2020, with completion expected by the end of 2020.

Transportation Planning notes that the subject property is located within the County's Alternative Mobility Area (AMA), with multiple alternative transportation modes available in the surrounding area. County-maintained sidewalks exist along both sides of S Rio Grande Avenue, the north side of S Texas Avenue, the south side of 40th Street, the north side of 43rd Street, the north side of 45th Street, and the west side of S Nashville Avenue. State-maintained sidewalks are in place along both sides of S Orange Blossom Trail. To help further ensure pedestrian safety, there is a marked crosswalk across S Rio Grande Avenue at 43rd Street, and there are multiple marked crosswalks along Rio Grande Avenue and S Orange Blossom Trail within the project's impact area.

With respect to transit, LYNX bus links 441 FastLynx 441, 107 Downtown Orlando/Florida Mall, 8 W. Oak Ridge Road/International Drive, 304 Lynx 3D: Rio Grande/Vistana Resort, and 40 American Boulevard/Universal Orlando service the area. Per Transportation Planning, there are currently nine bus stops (four sheltered) within the project's impact area. In regard to bicyclist safety, there are presently no bicycle routes/lanes within the project's impact area. Lastly, final permitting of any development on this site will be subject to further review and approval by Transportation Planning.

Utilities Engineering Division. The subject site lies within the Orlando Utilities Commission's (OUC's) potable water service area and the City of Orlando's reclaimed water service area. The subject property is located within Orange County Utilities' (OCU's) wastewater service area but is presently not connected to its sewer lines. Per OCU, an 8-inch gravity main is in place west of the intersection of S Rio Grande Avenue and Texas Avenue.

Orange County Public Schools. Per Orange County Public Schools (OCPS), the construction of two single-family detached homes will have a de minimis impact on area public schools. No Capacity Enhancement Agreement (CEA) will be required.

3. Rezoning Request Analysis

SITE DATA

Adjacent Zoning

N:	R-1A (Single-Family Dwelling District) (1963)
E:	R-1A (Single-Family Dwelling District) (1963)
W:	R-3 (Multiple-Family Dwelling District) (1972)
S:	R-1A (Single-Family Dwelling District) (1963)

Adjacent Land Uses

N:	Single-family residential
E:	Single-family residential
W:	Single-family residential
S:	Single-family residential

Applicable R-1 (Single-Family Dwelling District) Development Standards

Minimum Lot Area:	5,000 square feet
Minimum Lot Width:	50 feet
Maximum Building Height:	35 feet
Minimum Living Area:	1,000 square feet

Minimum Building Setbacks

Front: 20 feet
Rear: 20 feet
Side: 5 feet
Side (Street): 15 feet

PERMITTED USES

The areas included in an R-1 single-family dwelling district are of the same general character as those zoned R-1-AA and R-1-A, but with smaller minimum lots and yards and a corresponding increase in population density.

Specific uses shall be identified by the letter “P” in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Water/Wastewater/Reclaimed Water

Existing service or provider

Water: Orlando Utilities Commission
Wastewater: Orange County Utilities (not currently available)
Reclaimed: City of Orlando

Schools

Per Orange County Public Schools (OCPS), the development of two single-family detached homes will have a de minimis impact on area public schools.

Parks and Recreation

Orange County Parks and Recreation has reviewed the request and did not comment on this case.

Code Enforcement

No Code Enforcement, Special Magistrate, or lot cleaning issues on the subject property have been identified.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Policy References

Goal FLU2 – URBAN STRATEGIES. Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU2.1 – INFILL. Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County’s established core areas in the Urban Service Area.

OBJ FLU8.2 – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.1 – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

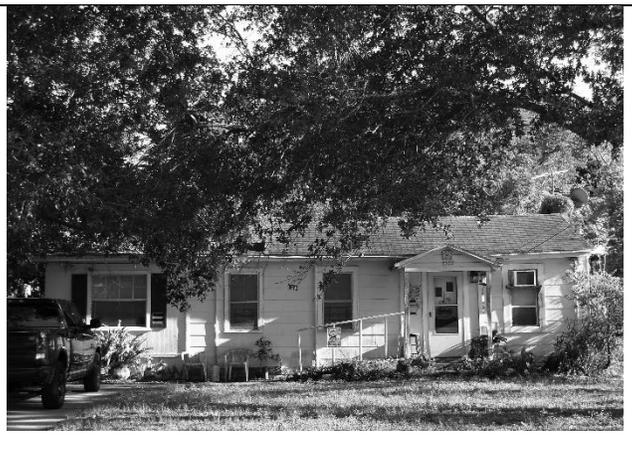
FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County’s desired urban framework. Infill is defined as development consistent with the *Infill Master Plan (2008)*.

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

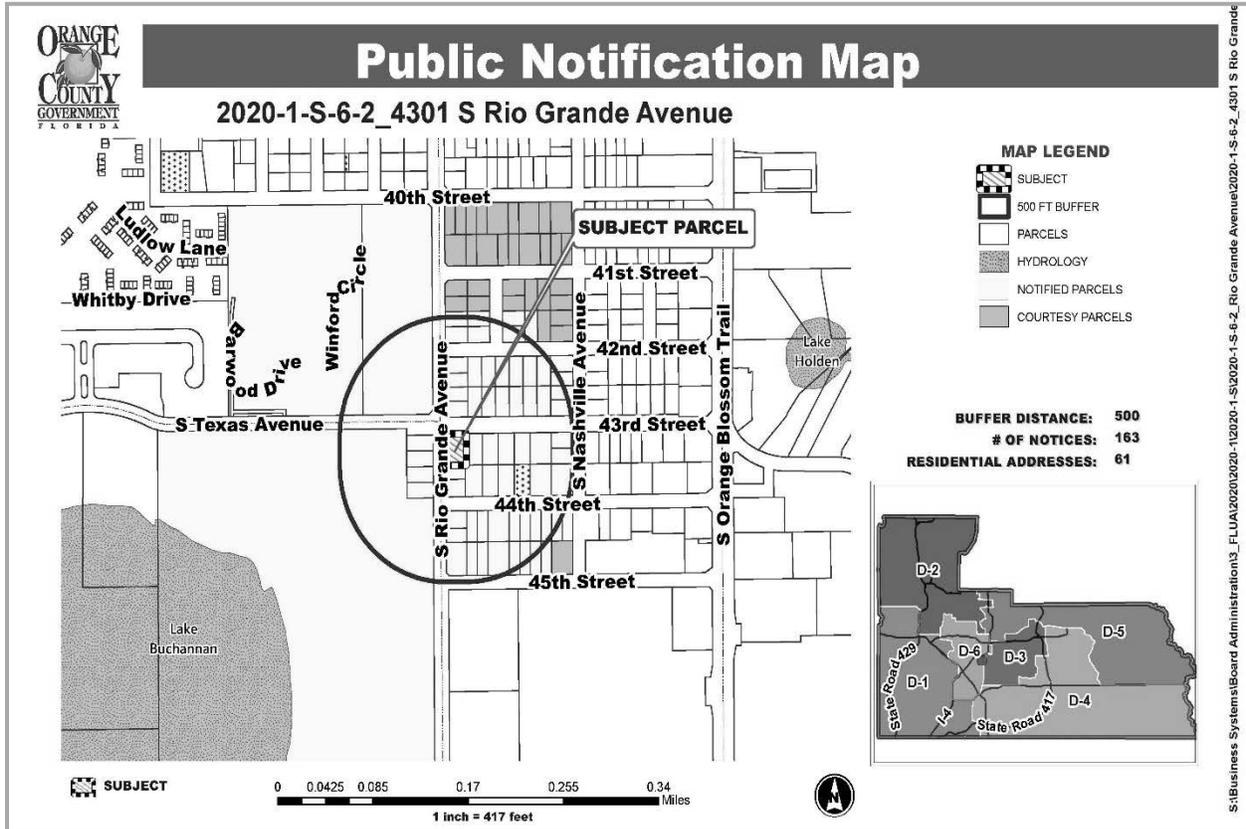
GOAL H1 – Orange County’s goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

OBJ H1.1 – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

Site Visit Photos

Subject Site	
	
North of Subject Site	South of Subject Site
	
West of Subject Site	East of Subject Site
	

PUBLIC NOTIFICATION MAP

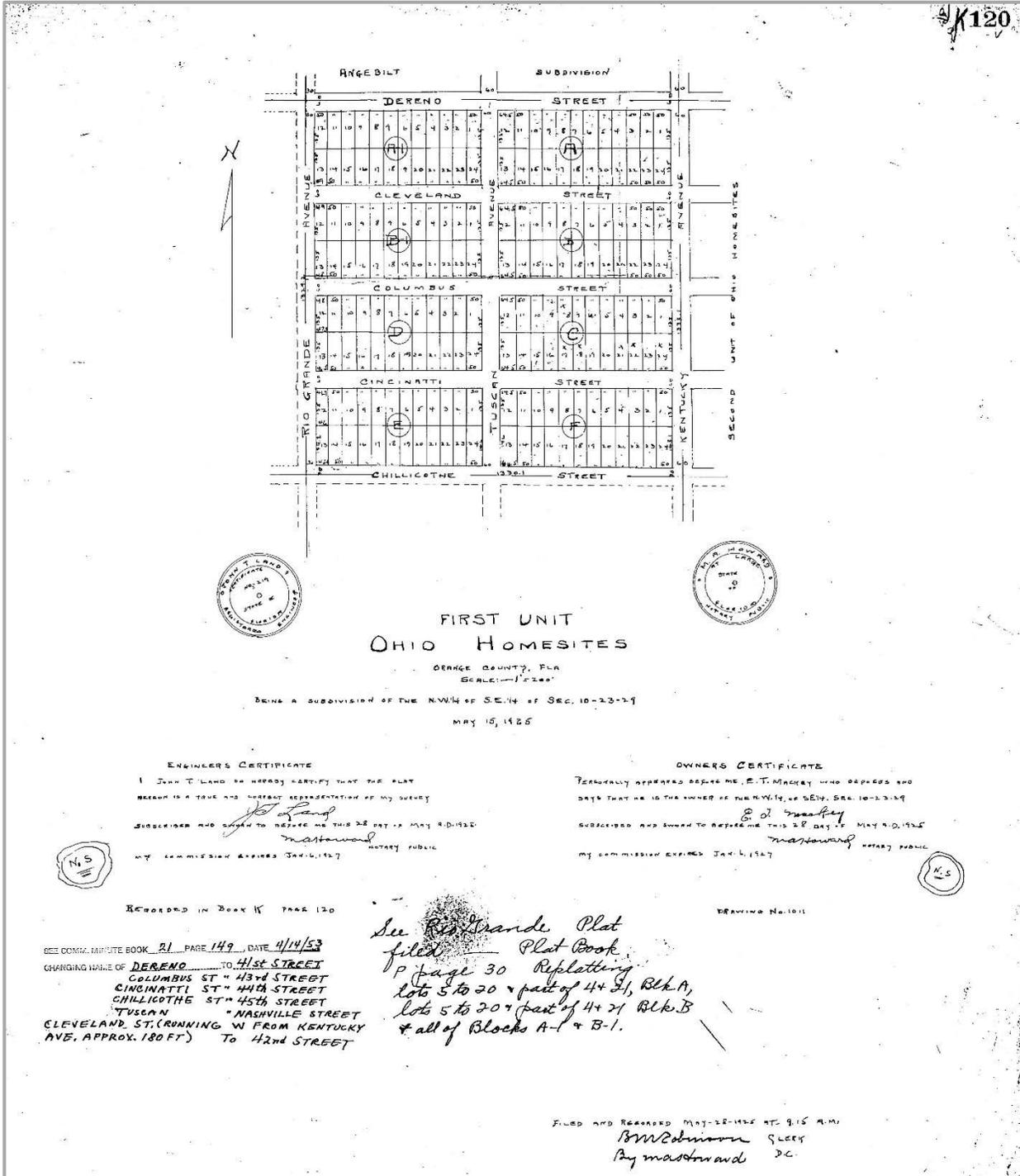


Notification Area

- 500 feet plus neighborhood and homeowners’ associations within a one-mile radius of the subject site
- 163 notices sent

Exhibit "A"

Ohio Homesites, First Unit
 Book K, Page 120





Applicant/Owner:
Harland Chadbourne/ Sean Jennings, Waste Pro USA

Location: 1400 S. Orange Blossom Trail; Generally located west of South Orange Blossom Trail, south of Indiana Street, north of West Miller Avenue, and east of South Rio Grande Avenue.

Existing Use: Vehicle Repair and Storage

Parcel ID Number:
34-22-29-6316-00-252

Tract Size: 4.49 gross acres (1.94 gross acre for application area)

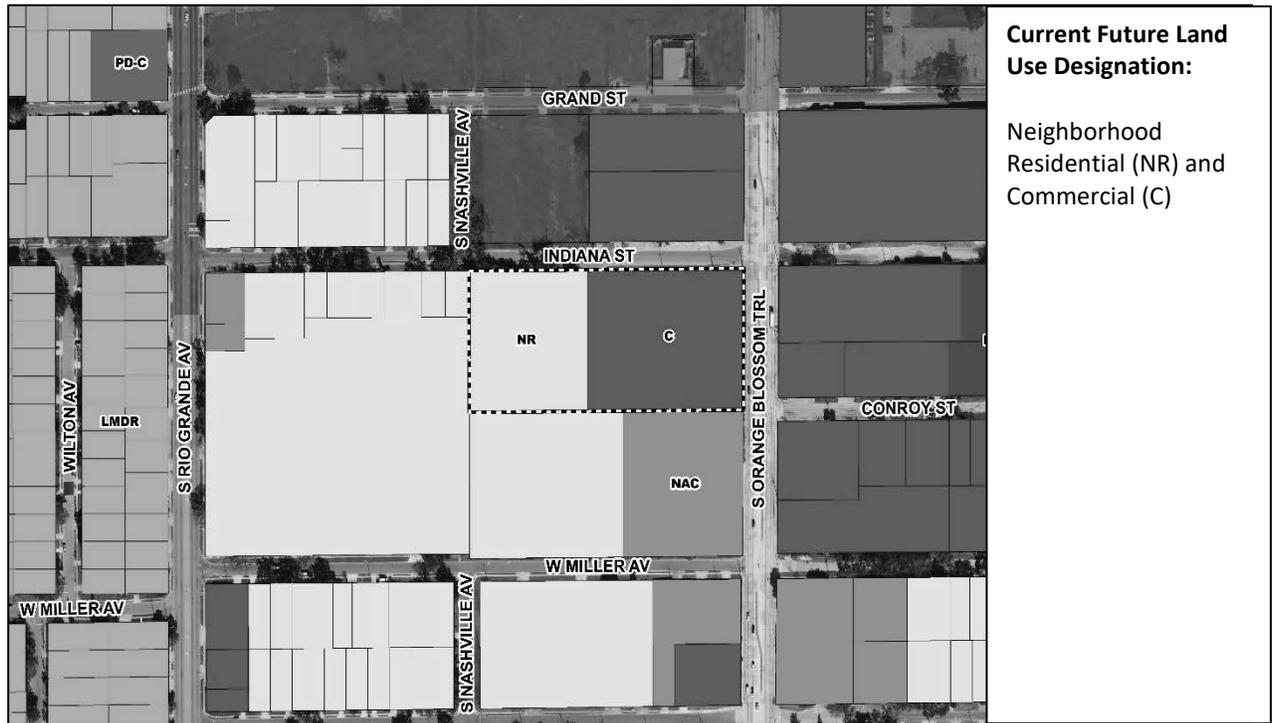
The following meetings and hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome	Request: Neighborhood Residential (NR) and Commercial (C) to Commercial (C)	
✓	Informational Video Presentation notice was sent May 15, 2020, and will be available to the public until June 4, 2020.	Concurrent Rezoning: No	
✓	Staff Report	Proposed Development Program: The applicant is proposing to construct a compression natural gas station to service Waste Pro vehicles.	
✓	LPA Adoption June 5, 2020	Public Facilities and Services: Please see Public Facilities Analysis Appendix for specific analysis on each public facility.	
	BCC Adoption	Environmental: Please see Environmental Protection Division analysis under Public Facilities Analysis Appendix.	
	July 28, 2020	Transportation: Please see Transportation Planning Division analysis under Public Facilities Analysis Appendix.	

AERIAL



■ Shaded area is within Orlando city limits

FUTURE LAND USE - CURRENT



FUTURE LAND USE – AS PROPOSED



ZONING – CURRENT



Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Objectives FLU1.1, FLU8.2, N.1.1 and Policies FLU1.1.1, FLU1.4.2, and FLU8.2.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-6-3, **Neighborhood Residential (NR) and Commercial (C) to Commercial (C)**.

Analysis

1. Background Development Program

The applicant, Harland Chadbourne, representing Sean Jennings, Waste Pro USA, is requesting to change the Future Land Use Map (FLUM) designation on the west 1.94 acres of the 4.49 acre subject property from **NR and C to C**. The remaining 2.55 acres of the petitioned site maintains a Commercial future land use designation. The applicant is proposing to construct a compression natural gas station to service Waste Pro company vehicles.

The subject property serves as repair and storage facility for Waste Pro vehicles and has been under the ownership of the applicant since December 2015. The site is zoned C-3 (Wholesale Commercial District) and has maintained this zoning classification since 1957. The property has maintained the Neighborhood Residential and Commercial future land use designations since the adoption of the Orange County Comprehensive Plan in 1991.

The site is located on west side of S. Orange Blossom Trail and is generally located south of Indiana Street, north of W. Miller Avenue, and east of S. Rio Grande Avenue.

The site is located in an area characterized by residential, commercial, office, and quasi-industrial uses. To the north of the petitioned site is an adult entertainment establishment. To the south of the petitioned site is a mobile home park. To the west of the site is a vacant single-family parcel and a warehouse. Uses east of the site across S. Orange Blossom Trail include an HVAC contractor, auto repair facility and office uses.

Community Meeting

A virtual Project Information Presentation was conducted prior to the LPA adoption hearing in lieu of a traditional community meeting. A total of 242 notices were distributed to surrounding properties within 1000 feet of the petitioned site. The commenting period was still open at the time of this writing.

2. Project Analysis

Consistency

The proposed FLUM Amendment appears to be consistent with the applicable goals, objectives, and policies of the Comprehensive Plan. The change from **NR and C to C** on the west 1.94 acres would bring consistency to the petitioned site's overall future land use designation and the C-3 zoning classification. This consistency would permit the applicant to construct a compression natural gas station to service Waste Pro vehicles on the western portion of the site.

Staff finds the request consistent with Future Land Use Element **Objective FLU1.1**, which states Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development. The site is located in the Urban Service Area and serviced by a full array of urban services.

Staff finds the request consistent with Future Land Use Element **Policy FLU1.1.1**, which states urban uses shall be concentrated within the Urban Service Area.

Staff finds the request consistent with Future Land Use Element **Policy FLU1.4.2**, which states Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. A mix of residential, commercial, office, and quasi-industrial uses surrounds the petitioned site. The proposed addition of a compression natural gas station does not appear to amend the intensity or compatibility of the subject parcel with the existing neighborhood.

Furthermore, staff finds the request consistent with **Future Land Use Element Policy FLU8.1.1**, which states zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand and environmental features shall also be used in determining which specific zoning district is most appropriate. The requested Commercial Future Land Use Map designation is consistent with the site's C-3 zoning classification.

Compatibility

The proposed Future Land Use Map amendment appears to be compatible with the existing development of the surround area.

Future Land Use Element Policy FLU 1.4.2 states Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

Future Land Use Element Objective FLU8.2 states compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

Policy FLU8.2.1 states land use changes shall be compatible with existing development and the development trend in the area. This policy allows performance restrictions and/or conditions to be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

Neighborhood Element Objective N.1.1 states Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division The petitioned site is located within the Holden Heights ROCC (Redeveloping Orange County Communities) per Orange County Board of County Commissioners resolution #2007-M-31 approved on August 8, 2007, designating certain land as a Brownfield Area for the purpose of environmental remediation, rehabilitation and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

Vehicle refueling stations and associated storage are exempt from air quality management permitting requirements per Rule 62-210.300(3)(a)19., F.A.C., as long as they remain below the Title V major source thresholds.

Pressurized vessels are not regulated under storage tanks rules other than registration.

The facility does not require a solid waste management facility permit under Orange County Code Chapter 32, Article V, as long as it is not the intent of this application to allow the operation of a solid waste management facility, including but not limited to a transfer station.

Transportation Planning Division

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
	39	39	100%

Existing Allowable use: 39 SF DU

Existing Use: Waste Pro Offices

Proposed Use: Proposed: CNG Station

Permitted: (1.5 FAR) 126, 759 sq. ft. commercial development

Trips calculated based on commercial development 648 67% 434

Net New Trips (Proposed Development less Allowable Development): 434-39=395

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: None

Summary

The applicant is requesting to change 1.94 acres from NR to Commercial and requests approval to develop a Compressed Natural Gas station, truck parking and Waste Pro offices.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed commercial development will result in an increase in the number of pm peak trips and therefore impact the area roadways.

However, based on the Concurrency Management System Database, roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 39 pm peak hour trips.
- The allowable development based on the approved future land use will generate 39 pm peak hour trips.
- The proposed use will generate 434 new pm peak hour trips resulting in net increase of 395 pm peak hour trips.
- The subject property is located adjacent to S Orange Blossom Trail, a 4-lane Urban Class II road. This facility currently does not have any deficient roadway segments within the project’s impact area.

- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along Grand St. (Both sides between S Rio Grande Ave. and S Orange Blossom Tr., mixed in with city maintained sidewalks, with intermittent coverage to the East and West), S Rio Grande Ave. (both sides), Indiana St. (intermittent both sides), Lowrie Ave., Wilton Ave., W Miller Ave., S Nashville Ave., 18th St., and 19th St. (intermittent both sides).

There also exist State maintained sidewalks along S Orange Blossom Trail (S of Grand St.). There exist marked crosswalks along Orange Blossom Tr crossing Grand St to the NorthEast and Indiana St adjacent to the site. Note the crosswalks across Indiana St are severely faded.

LYNX bus links 304 Lynx 3D: Rio Grande/Vistana Resort, 36 Lake Richmond, 107 Downtown Orlando/Florida Mall, and 8 W Oak Ridge Rd./International Dr. service the area. There are eleven (11) bus stops (0 sheltered) within the project area.

- There are no dedicated bicycle routes/lanes within the project impact area.

Public Facilities

The site is located in the Orange County Utilities (OCU) South Service area and the Orlando Utilities Commission service area. The site is also within the County's Urban Service Area. The site has an 8-inch gravity sewer main located within the Indiana Street right-of-way.

Orange County Fire Station #50 is located 1.2 miles from the petitioned site and the current response time is approximately 3 minutes.

3. Policy References

OBJ FLU1.1 - Orange County shall use urban densities and intensities, and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.

FLU1.1.1 - Urban uses shall be concentrated within the Urban Service Area.

FLU1.4.2 - Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

OBJ FLU8.2 - Compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 - Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions maybe placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

OBJ N1.1 - Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

SITE VISIT PHOTOS

Subject Site



North – Adult Entertainment Establishment



South – Mobile Home Park



West – Vacant Residential



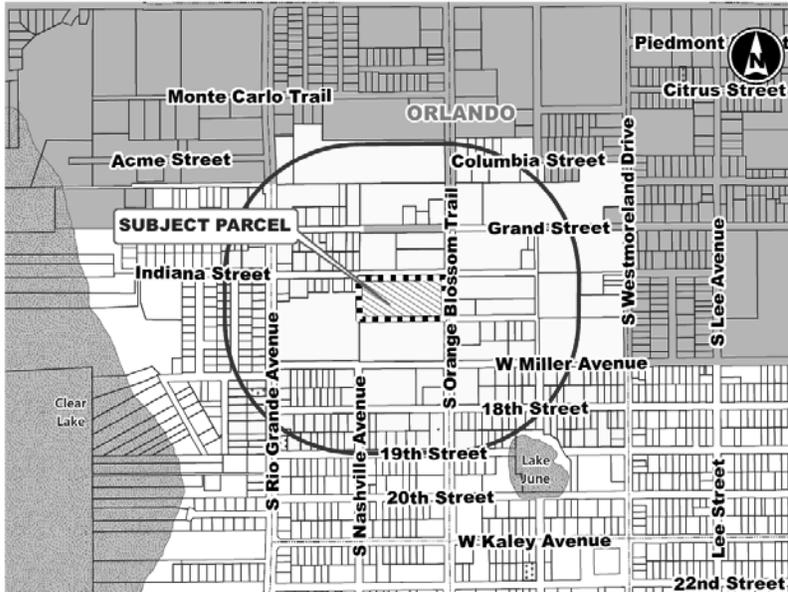
East – HVAC Contractor



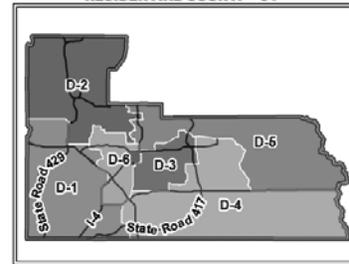


Public Notification Map

2020-1-S-6-3



BUFFER DISTANCE: 1000
OF NOTICES: 242
RESIDENTIAL COUNT: 64



Notification Area

1000 feet, plus homeowner associations within a one (1) mile radius of the subject site

242 notices sent



Applicant/Owner:
Andrea Cardo, Interplan, LLC / Virtus North America, LLC

Location:
Generally located behind the Westgate Square shopping center, east of N Hiawasse Road, north of Silver Star Road, south of Burroughs Court, and west of Environs Boulevard.

Existing Use:
Undeveloped land

Parcel ID Number:
13-22-28-0000-00-044

Tract Size:
1.42 gross/net developable acres

The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Request:	
✓	A community meeting was held February 19, 2020, with six (6) members of the public in attendance.	Positive – While the meeting attendees did not express objection to the application, the proposed use of the site, compatibility with neighboring residential development, and access management were discussed.	Request: Medium Density Residential (MDR) to Commercial (C)	
✓	Staff Report	Recommend adoption	Proposed Development Program: Up to 14,000 square feet of C-1 (Retail Commercial District) uses	
✓	LPA Adoption Hearing June 5, 2020	Recommend adoption (8-0)	Concurrent Rezoning: N/A The applicant is proposing to retain the property's C-1 (Retail Commercial District) zoning classification.	
	BCC Adoption Hearing	July 28, 2020	Public Facilities and Services: Please see the Public Facilities & Services Appendix for specific analyses of each public facility. Transportation: The subject property is located within the County's Alternative Mobility Area (AMA). Per the Orange County Transportation Planning Division, the project is expected to generate 71 new p.m. peak hour trips, resulting in a net increase of 43 p.m. peak hour trips. Utilities: The subject property is located within the Orlando Utilities Commission's (OUC's) potable water service area and Orange County Utilities' (OCU's) wastewater and reclaimed water service areas.	

SITE AERIAL



FUTURE LAND USE – CURRENT



Current Future Land Use:
Medium Density Residential (MDR)

Special Area Information:
The subject property is located in the County's Alternative Mobility Area (AMA).
Overlay District: The subject property is located in the Pine Hills Neighborhood Improvement District (NID).
JPA: N/A
Rural Settlement: N/A
Airport Noise Zone: N/A

FUTURE LAND USE – PROPOSED



Proposed Future Land Use:
Commercial (C)

ZONING – CURRENT



Zoning: C-1 (Retail Commercial District)

Existing Uses:

- N: Kensington Cottages (multi-family community)
- S: Westgate Square shopping center
- E: The Groves (manufactured home community)
- W: Westgate Square shopping center and Orange County lift station

Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.5, FLU1.4.4, FLU1.4.6, and FLU8.2.1; and Neighborhood Element Objective N1.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-6-4, Medium Density Residential (MDR) to Commercial (C).

Analysis

1. Background and Development Program

The applicant, Andrea Cardo, is seeking to change the Future Land Use Map (FLUM) designation of the 1.42-acre subject parcel, presently undeveloped, from Medium Density Residential (MDR) to Commercial (C). If this request is approved, it is the intent of the owner, Virtus North America, LLC, to develop up to 14,000 square feet of neighborhood-serving commercial and/or office space on the site. As stated in the application package, uses will be limited to those permitted under the property's current C-1 (Retail Commercial District) zoning classification, as established in Section 38-77, Use Table, of the Orange County Code.

As depicted on the aerial photograph, the subject property is situated behind Westgate Square, a multi-tenant commercial plaza featuring approximately 156,487 square feet of gross leasable area located at the intersection of the heavily-traveled N Hiawassee Road and Silver Star Road corridors, and an Orange County lift station. Access to the site is solely achievable through the shopping center, as it lacks frontage on N Hiawassee Road or Silver Star Road. In addition, the property has no vehicular connectivity to the abutting Kensington Cottages multi-family community to the north or the adjacent manufactured home neighborhood, The Groves, to the east, as it is separated from both by vegetation and fencing.

Since the inception of zoning in the County on October 6, 1957, the parcel has possessed the C-1 (Retail Commercial District) zoning classification—a category that is inconsistent with its current Medium Density Residential (MDR) future land use designation, assigned via the July 1, 1991 adoption of the Orange County Comprehensive Plan. At this time, the applicant wishes to bring the future land use designation of the property into conformance with its C-1 zoning classification to allow for its utilization for commercial and/or office use.

Although the subject parcel abuts two established residential communities, it is staff's belief that the development of the site for commercial and/or office purposes is appropriate. The property's location at the rear of a busy shopping center, its sole accessibility through the commercial plaza, and its immediate adjacency to a County lift station make it better-suited, in staff's opinion, to non-residential, rather than residential, development.

Community Meeting

A community meeting for the proposed amendment was held February 19, 2020, at the Barnett Park Administration Center. While the four area residents in attendance did not appear to object to the development of the subject parcel for non-residential purposes, they raised questions about the intended use of the site. In response, the applicant team stated that due to the property's lack of visibility and direct access from either N Hiawassee Road or Silver Star Road, the site will likely be developed for a "destination" office use, such as a medical or dental office. Staff clarified that the property's existing C-1 zoning classification allows for the development of both neighborhood-

servicing commercial and office uses, adding that the C-1 zoning district is the least intense of the County's commercial categories.

With respect to access management, the applicant team confirmed that access to the subject site will be achieved solely through the Westgate Square shopping center. To help ensure the protection of neighboring residential development, the applicant team emphasized that there will be no connectivity through the Kensington Cottages multi-family community to the north or The Groves manufactured home neighborhood to the east.

The applicant team stated that if the proposed amendment is adopted, they will then proceed through commercial plans review, during which such issues as landscaping and buffering from adjacent residential development, access management, parking, lighting, architectural design, and stormwater retention will be addressed in detail.

The tone of the meeting was positive.

2. Project Analysis

Consistency

The proposed FLUM Amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Orange County Comprehensive Plan. As discussed above, the applicant is proposing to develop up to 14,000 square feet of commercial and/or office space on a vacant infill site within the County's Urban Service Area Boundary. If this application is approved, uses will be limited to those permitted under the property's existing C-1 zoning classification, the least intense of the County's commercial categories. Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. In the same vein, staff finds the request consistent with **Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

The requested amendment also appears consistent with **Policy FLU1.4.6**, which states that the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed-use design and complementary land uses in close proximity to one another. As discussed above, the site is bounded by the Westgate Square shopping center to the west and south and is located in an area characterized by a mix of commercial, office, and residential uses. Development of a commercial or office infill project would be a logical use of the 1.42-acre property, as the site's small size and location at the rear of a busy commercial plaza renders it—in staff's opinion—more suitable for non-residential, rather than residential, activity. Staff believes the desired 14,000 square feet of new commercial and/or office space would prove compatible with the existing development pattern, as it would serve the neighboring residential population and the employees and customers of the various offices and businesses in the surrounding area.

Furthermore, staff finds the request consistent with **Policy FLU1.4.4**, which states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided, and **Neighborhood Element Objective N1.1**, which establishes that Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods. While the subject property is immediately adjacent to the Kensington

Cottages multi-family community to the north and The Groves manufactured home neighborhood to the east, it is physically separated from both by vegetation and fencing. In addition, access to the subject site is solely achievable via the Westgate Plaza shopping center, eliminating the possibility of cut-through traffic. As discussed previously, if this proposed amendment is adopted, the applicant will then proceed through commercial plans review, during which such issues as landscaping and buffering from adjacent residential development, access management, parking, lighting, architectural design, and stormwater retention will be addressed in detail.

Staff notes the proposed 14,000 square feet of commercial and office development, if approved, will use infrastructure that is already in place. Per Orange County Utilities (OCU), potable water from the Orlando Utilities Commission (OUC) and central sewer service from OCU are available to serve the site, with no facility improvements necessary to maintain level of service standards. Moreover, the project would use the existing transportation network, which serves transit riders and pedestrians, as well as automobile drivers. The property is situated behind the Westgate Square shopping center, located at the signalized intersection of N Hiawassee Road and Silver Star Road. Crosswalks extend across N Hiawassee and Silver Star, and sidewalks are in place along both sides of the two roads to help ensure the safety of pedestrians. Furthermore, a LYNX bus stop with a shelter is located on N Hiawassee near the entrance to the commercial plaza, and two additional bus stops are in place on Silver Star, south of the subject site. Per the Orange County Transportation Planning Division, Links 44 Clarcona/Zellwood, 48 W Colonial Drive/Park Promenade Plaza, 125 Silver Star Road Crosstown, 443 Lee Road Crosstown, and 301 LYNX 3D: Pine Hills/Animal Kingdom provide transit service to the area.

Compatibility

The proposed Future Land Use Map Amendment appears to be **compatible** with the development pattern of the surrounding area.

Future Land Use Element Objective FLU8.2 states that compatibility will continue to be the fundamental *consideration* in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As discussed previously, the subject property is located in an area characterized by a mix of commercial, office, and residential activity. It is staff's belief that the proposed 14,000 square feet of commercial and/or office uses will provide additional convenience retail or services for the neighboring residential population and the employees and customers of the various offices and businesses in the surrounding area. Furthermore, the project would contribute to the County's larger goals of promoting infill and compact urban form within the Urban Service Area, efficiently using existing infrastructure, reducing trip lengths, and encouraging accessibility via multiple modes of transportation. Staff, therefore, recommends adoption of this requested amendment.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division. The Environmental Protection Division (EPD) notes that the subject site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to, septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in the Orange County Comprehensive Plan including, but not limited to, Future Land Use Element Objective FLU6.6, Wekiva, and the related policies.

The project site is located within the Pine Hills ROCC (Redeveloping Orange County Communities) per Orange County Board of County Commissioners Resolution #2013-M-14, approved on April 23, 2013. This resolution designated certain land as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern). The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to Orange County Code Sections 30-277 and 30-278.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides, and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Please contact the Orange County Solid Waste Hotline at 407-836-6601 for information.

Transportation Planning Division. The Transportation Planning Division's trip generation analysis indicates that the proposed commercial development will result in an increase in the number of p.m. peak trips and, therefore, will impact area roadways. Development of the maximum 28 dwelling units under the currently-approved MDR future land use designation will generate 28 p.m. peak hour trips. The proposed development of up to 14,000 square feet of C-1 uses under the requested Commercial future land use designation is projected to generate 71 new p.m. peak hour trips, resulting in a net increase of 43 p.m. peak hour trips.

The subject property is located adjacent to N Hiawassee Road, a two-lane Urban Class I road. Based on the County's Concurrency Management System database, this facility currently has deficient roadway segments within the project's impact area. Powers Drive from Silver Star Road to North Lane is currently operating above the Maximum Service Volume in the p.m. peak hour.

Transportation Planning notes that the subject property is located within the County's Alternative Mobility Area (AMA), with multiple alternative transportation modes available in the surrounding area. County-maintained sidewalks exist along both sides of N Hiawassee Road, Redwood Oaks Drive, and Livewood Oaks Drive and along the south side of Hickory Branch Circle. State-maintained sidewalks are in place along both sides of Silver Star Road. To further help ensure pedestrian safety, there are marked crosswalks at the intersection of N Hiawassee Road and Silver Star Road southwest of the site, and crosswalks exist on Silver Star Road crossing Sandy Lane and Healy Drive to the southeast. However, there are presently no sidewalks or crosswalks along or across neighboring Environs Boulevard to the east.

With respect to transit, LYNX bus links 44 Clarcona/Zellwood, 48 W Colonial Drive/Park Promenade Plaza, 125 Silver Star Road Crosstown, 443 Lee Road Crosstown, and 301 LYNX 3D: Pine Hills/Animal Kingdom service the area. Per Transportation Planning, there are currently eleven bus stops (five sheltered) within the project's impact area. Lastly, in regard to bicyclist safety, there are signed and dedicated bicycle lanes within the project's impact area, on Silver Star Road to the west of N Hiawassee Road.

Utilities Engineering Division. The subject property lies within the Orlando Utilities Commission's (OUC's) potable water service area and Orange County Utilities' (OCU's) wastewater and reclaimed water service areas. Per OCU, an 8-inch gravity main is located adjacent to the property, and there is a 30-inch forcemain in place within the N Hiwassee Road right-of-way. Reclaimed water, however, is currently unavailable in the vicinity of the site. OCU has informed staff that no improvements to County facilities to maintain current level of service (LOS) standards are needed at this time.

3. Policy References

Goal FLU2 – URBAN STRATEGIES. Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU8.2 – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the *Infill Master Plan (2008)*.

FLU1.4.4 – The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided.

FLU1.4.6 – The following guidelines illustrate different types of commercial and retail development consistent with the Orange County Comprehensive Plan. It is the goal of the 2030 CP to increase densities and intensities in the Urban Service Area in order to accommodate projected growth. The Commercial floor area ratio (FAR) shall be 3.0 unless otherwise restricted by County policy or code (See FLU1.1.4A, FLU2.2.4 – FLU2.2.7, and FLU3.2.1 – FLU3.2.13). The basis for increasing densities and intensities is the finding that productive use of vacant land within the Urban Service Area is critical to the County's future urban form. Therefore, with respect to new development and redevelopment, the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed-use design and complementary land uses in close proximity to one another, in its desired development pattern for the County's Urban Service Area.

The following criteria are intended to serve as guidance for commercial-related future land use amendment requests within the Urban Service Area. Consistent with FLU1.4.5, Orange County may require a market study for Commercial and Office future land use requests. A mix of two or more uses will be encouraged where appropriate.

Neighborhood Centers and Neighborhood Activity Nodes – Neighborhood center commercial is intended to serve the needs of nearby residents, employees, visitors and businesses (within two to three miles).

Village Centers – Village Center commercial is intended to more centrally serve the needs of residents, employees, visitors and businesses within a community of neighborhoods (within three to five miles).

Lifestyle Centers – Lifestyle Centers are open-air shopping centers with a mix of national retailers and local boutiques and housing choices. These locations emphasize convenience and a mix of uses and choices.

Wholesale/Retail – Also may be referred to as Big Box retail or Power Centers. Big Box retail, as defined by County Ordinance 2007-1, is described as a retail wholesale commercial establishment (store) with more than seventy-five thousand (75,000) square feet of gross floor area, which may include a home improvement center or a membership warehouse club. The gross floor area of such a store includes outdoor storage areas and any outdoor area providing services.

<i>Type</i>	<i>Size</i>	<i>Gross Leasable Area</i>	<i>FAR</i>
Neighborhood Center	4 acres	20,000 -40,000 SF	See applicable County policy or code
Community Center	10 acres	100-300,000 SF	See applicable County policy or code
Village Center	20 acres	200-400,000 SF	See applicable County policy or code
Lifestyle Centers	25 acres	400,000 SF	See applicable County policy or code
Wholesale/Retail Centers	See Ordinance 2007-1, Big Box Ordinance		
All commercial should have safe, adequate and appropriate access per FLU1.4.8.			

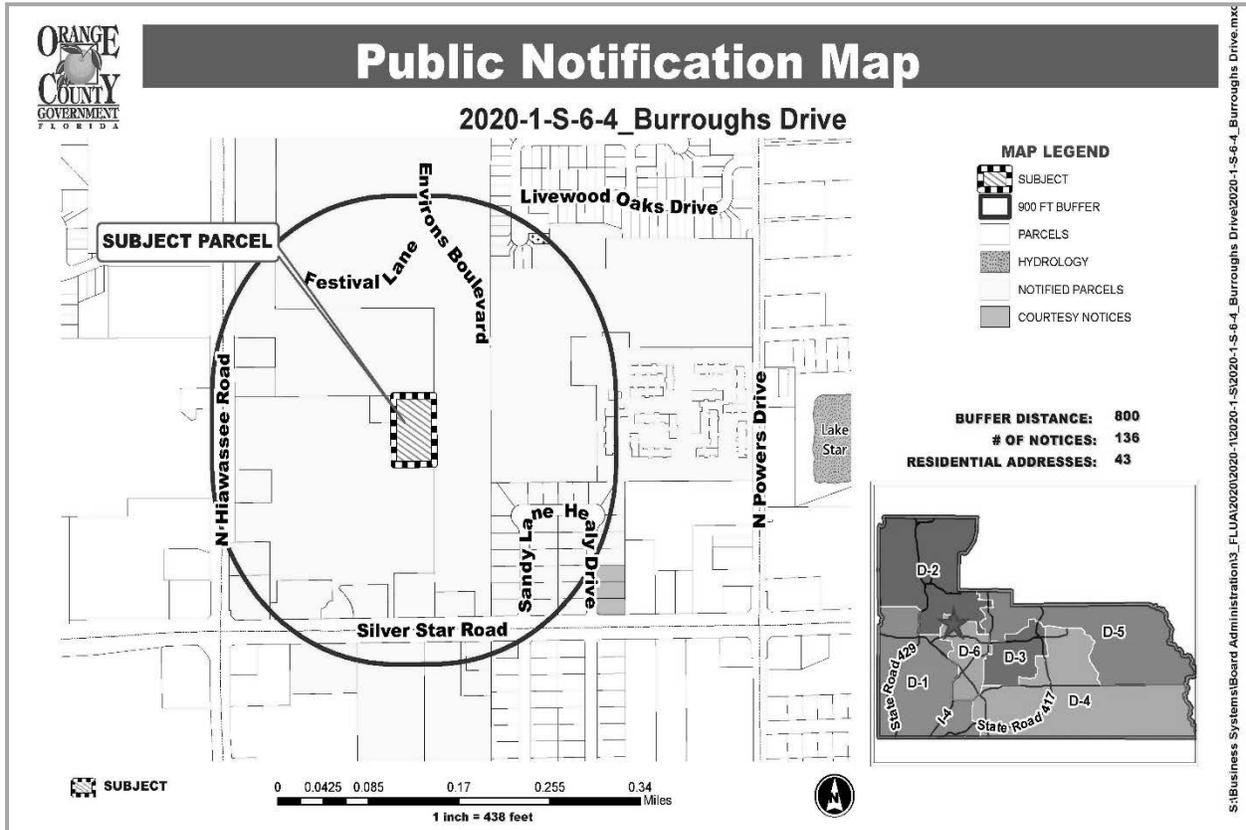
FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

OBJ N1.1 – Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

Site Visit Photos

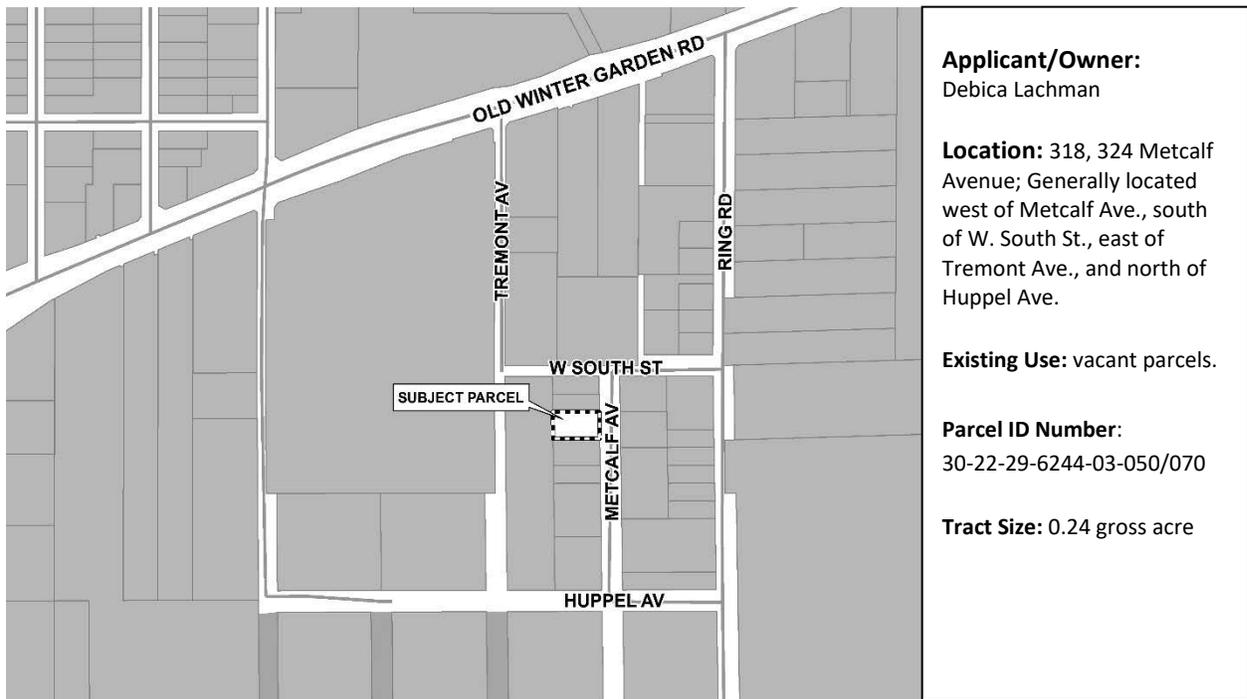
Subject Site	
	
North of Subject Site	South of Subject Site
	
West of Subject Site	East of Subject Site
	

PUBLIC NOTIFICATION MAP



Notification Area

- 800 feet plus neighborhood and homeowners’ associations within a one-mile radius of the subject site
- 136 notices sent



The following meetings and hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome		
✓ Informational Video Presentation notice was sent May 15, 2020, and will be available to the public until June 4, 2020.		Request: From Low Density Residential (LDR) to Industrial (IND)	
✓ LPA Adoption June 5, 2020	Recommend Adoption (8-0)	Concurrent Rezoning: Yes RZ-20-04-075 From: R-1 (Single-Family Dwelling District) to I-2/I-3 (Industrial District)	
✓ PZC Rezoning Hearing June 5, 2020	Recommend Approval (8-0), subject to the two restrictions	Proposed Development Program: The applicant is proposing to use the subject parcels for truck parking.	
BCC Adoption BCC Rezoning Hearing	July 28, 2020	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.	

AERIAL



FUTURE LAND USE - CURRENT



FUTURE LAND USE - AS PROPOSED



ZONING – CURRENT



ZONING – AS PROPOSED



Staff Recommendation

If the requested Comprehensive Plan amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

3. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Objectives FLU1.1 and FLU8.2 and Policies FLU1.1.1, FLU1.4.2, FLU1.4.16, FLU1.4.18, FLU8.1.1, FLU8.2, FLU 8.2.1 and FLU8.2.11), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-6-5, Low Density Residential (LDR) to Industrial (IND).
4. **REZONING REQUEST:** Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of Rezoning Case RZ-20-04-075, I-2 / I-3 (Industrial District) zoning, subject to the following restrictions:
 - 1) New billboards and pole signs shall be prohibited; and
 - 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any non-residential uses on the property.

Analysis

1. Background Development Program

The applicant, Debica Lachman, has requested to change the Future Land Use Map (FLUM) designation on 0.24 gross acres from **Low Density Residential (LDR)** to **Industrial (IND)**.

The subject property is located at 318 and 324 Metcalf Avenue, south of W. South Street, north of Huppel Avenue, and east of Tremont Avenue. The site is zoned R-1 (Single-Family Dwelling District) and has maintained that zoning classification since 1957. The applicant is requesting to amend the zoning district from R-1 (Single Family Dwelling District) to IND-2 / IND-3 (Industrial District).

In 2019, the applicant was approved for a rezoning application (RZ-19-09-035) for the two adjacent parcels (30-22-29-6244-03-010; 30-22-29-6244-03-030), located to the immediate north of the petitioned site, from R-1 (Single Family Dwelling District) to IND-2 / IND-3 (Restricted) (Industrial District). The rezoning corrected an inconsistency between the zoning and future land use designation of the parcels.

The subject property is located in an industrial corridor located on the Future Land Use Map (FLUM) and extends along Old Winter Garden Road between Ring Road and S. Kirkman Road. Surrounding uses in the corridor include outdoor storage, truck parking, and warehousing.

The applicant is proposing to use the property for truck parking in conjunction with their dump truck business.

Community Meeting

A virtual Project Information Presentation was conducted prior to the LPA adoption hearing in lieu of a traditional community meeting. A total of 86 notices were distributed to surrounding properties within 1000 feet of the petitioned site. The commenting period was still open at the time of this writing.

2. Project Analysis

Consistency

The proposed FLUM Amendment and concurrent rezoning appear to be consistent with the applicable goals, objectives, and policies of the Comprehensive Plan, which are specifically discussed in the paragraphs below.

Staff finds the two requests consistent with **Future Land Use Element Objective FLU1.1**, which states Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.

Staff finds the two requests consistent with Future Land Use Element **Policy FLU1.1.1**, which states urban uses shall be concentrated within the Urban Service Area.

Staff finds the two requests consistent with **Future Land Use Element Policy FLU1.4.16**, which states the Future Land Use Map shall reflect appropriate locations for industrial use, and **Future Land Use Element Policy FLU1.4.18**, which states the Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses.

Policy FLU8.1.1 states zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand and environmental features shall also be used in determining which specific zoning district is most appropriate.

Compatibility

The proposed Future Land Use Map amendment and associated rezoning request appear to be **compatible** with existing development of the surrounding area.

Future Land Use Element Policy FLU1.4.2 requires land use changes to be compatible with and serve existing neighborhood.

Objective FLU8.2 states that compatibility will be the fundamental consideration in all land use and zoning decisions.

Policy FLU8.2.1 states land use changes shall be compatible with existing development and the development trend in the area. This policy allows performance restrictions and/or conditions to be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

Policy FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

Public Facilities and Services Analysis

Environmental Protection Division

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Transportation Planning Division

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
	1	100%	1

Current FLUM Allowance: 1 SF DU

Existing Use: Single-family residence, undeveloped parcel

Proposed Use: Proposed: truck parking

Permitted: (.75 FAR) 7,514 sq. ft. commercial/industrial development 80 56% 45

Net New Trips (Proposed Development less Allowable Development): 45-1=44

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: None

Summary

Analysis of the project trips from the currently approved Future Land Use designation versus the proposed use indicates that the proposed use will result in an increase in the number of pm peak trips and therefore impact the area roadways.

However, based on the Concurrency Management System Database, roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered. Note the following:

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 1 pm peak hour trip.

Building Setbacks

Front: 25 ft.
 Rear: 10 ft.
 Side: 15 ft.

Intent, Purpose, and Uses

The intent and purpose of the I-2/I-3 (Industrial District) is as follows:

1. To provide space for those industries which require locations near compatible neighbors, good transportation facilities and utilities;
2. To establish and maintain regulations which will allow the continued development of certain existing industrially zoned property and certain lands adjacent thereto where there exist lots, structures and uses of land which were lawful before the adoption of this article but which may be prohibited by the requirements of the I-1A and I-1/I-5 industrial districts;
3. To establish and maintain standards that will promote the development of a wide variety of general industrial and related activities which require a pleasant environment, compatible surroundings, and intensive use of land; and
4. To establish and maintain standards which will protect adjacent residential and commercial developments.

Specific uses shall be identified by the letter “P” in the use table set forth in Section 38-77 of the Orange County Code.

Permitted uses include, but are not limited to, truck terminal facilities, automobile dealers and repair facilities, metal fabrication, wholesale food production, cardboard and paper manufacturing, trade shops, storage yards, commercial plant nurseries, on-site fuel storage, community centers, private educational facilities, and miscellaneous repair services.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Alternative Mobility Area. The following is a list of alternative modes within the project area: County maintained sidewalks exist along Old Winter Garden Road from S. Kirkman Road to Mercy Drive. LYNK bus link #54 Old Winter Garden Road. There are (3) three existing bus stops within the project area. A mobility analysis may be required for this project.

Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A separate community meeting was not required for the rezoning request.

Utilities

Water	Orlando Utilities Commission	
Waste Water	Orange County Utilities	8-inch gravity main near the intersection of Ring and South
Reclaim Water:	Orange County Utilities	not currently available

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Policy References

OBJ FLU1.1 - Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.

FLU1.1.1 - Urban uses shall be concentrated within the Urban Service Area.

FLU1.4.2 - Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

FLU1.4.16 - The Future Land Use Map shall reflect appropriate locations for industrial use.

FLU1.4.18 - The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited-access highways, airports and railroad).

FLU8.1.1 - Future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities; market demand and environmental features shall also be used in determining which specific zoning district is most appropriate.

OBJ FLU8.2 - Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU8.2.1 - Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed FLU-153 on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change. (Policy 3.2.25)

FLU8.2.11 - Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

Site Visit Photos

Subject Site



North – Offices



East – Single Family

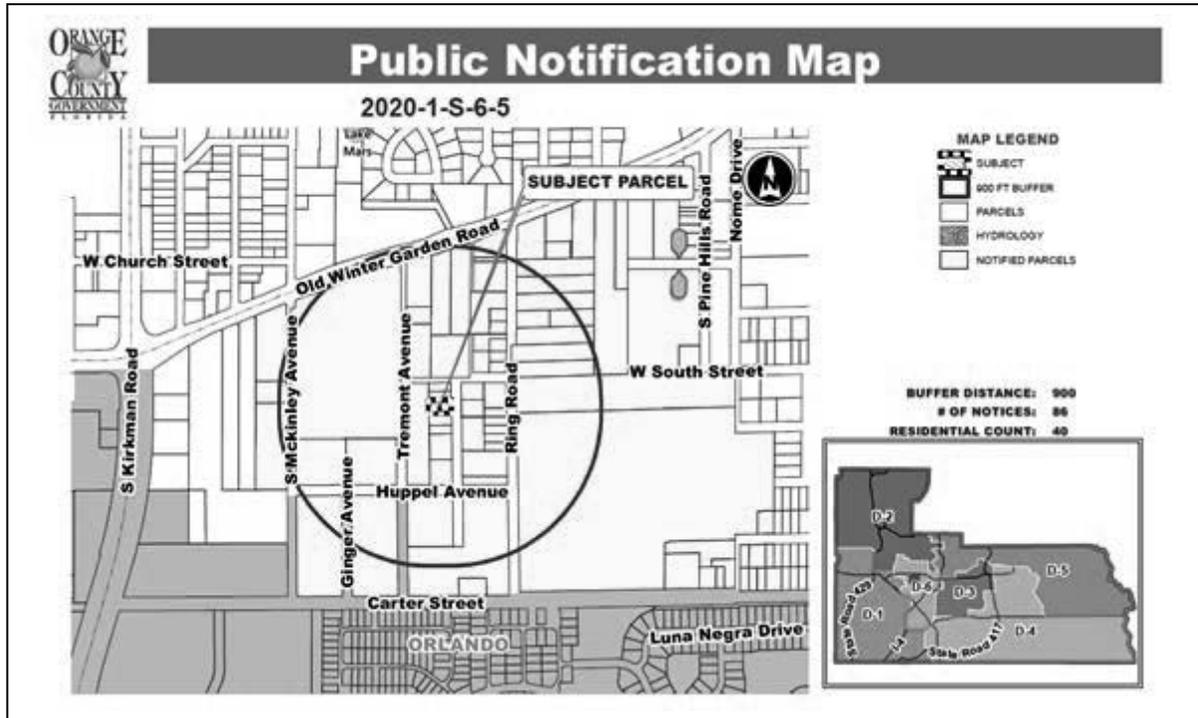


South – Office



West – Commercial

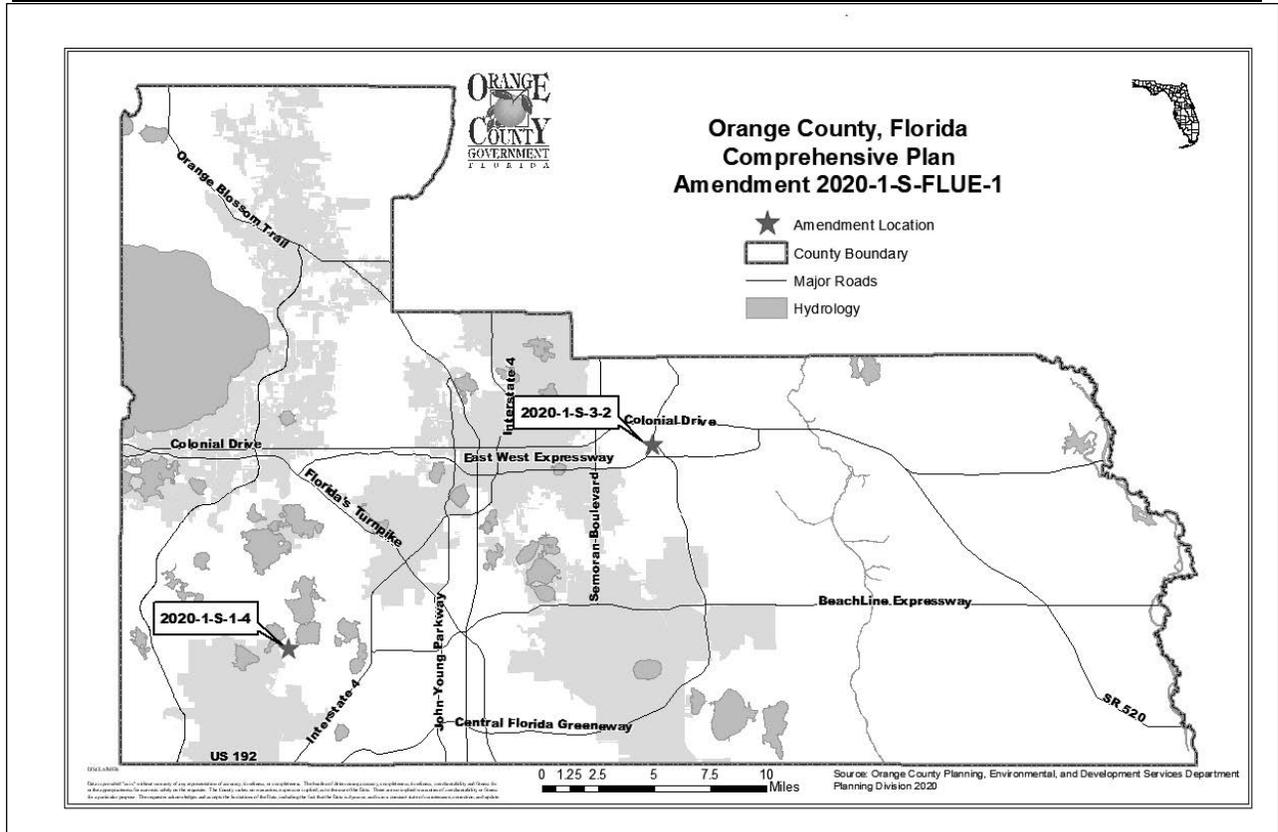




Notification Area

1000 feet, plus homeowner associations within a one (1) mile radius of the subject site

86 notices sent



The following meetings and hearings have been held for this proposal:			Project/Legal Notice Information	
	Report/Public Hearing	Outcome	Title: Amendment 2020-1-S-FLUE-1	
✓	Staff Report	Recommend adoption	Division: Planning	
✓	LPA Adoption June 5, 2020	Recommend adoption (8-0)	Request: Amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	
	BCC Adoption	July 28, 2020	Revision: FLU8.1.4	

Staff Recommendation

This request involves two privately-initiated Future Land Use Map Amendments (Amendments 2020-1-S-1-4 and 2020-1-S-3-2). Staff recommends that the Local Planning Agency (LPA) make a finding of consistency with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommend **ADOPTION** of Amendment 2020-1-S-FLUE-1 to include the development program for Amendment 2020-1-S-3-2 in Future Land Use Element Policy FLU8.1.4.

Staff recommends denial of including Amendment 2020-1-S-1-4 in Policy FLU8.1.4. However, should the Board adopt the proposed PD future land use designation for the Amendment 2020-1-S-1-4 subject property, the development program for this project will be incorporated into Policy FLU8.1.4.

A. Background

The Orange County Comprehensive Plan (CP) allows for a Future Land Use designation of Planned Development. While other Future Land Use designations define the maximum dwelling units per acre for residential land uses or the maximum floor area ratio (FAR) for non-residential land uses, this is not the case for the Planned Development (PD) designation. Policy FLU8.1.3 establishes the basis for PD designations such that “specific land use designations...may be approved on a site-specific basis”. Furthermore, “such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity”. Each comprehensive plan amendment involving a PD Future Land Use designation involves two amendments: the first to the Future Land Use Map and the second to Policy FLU8.1.4. The latter serves to record the amendment and the associated density/intensity established on a site-specific basis. Any change to the uses and/or density and intensity of approved uses for a PD Future Land Use designation requires an amendment of FLU8.1.4.

Staff recommends the Local Planning Agency make a finding of **CONSISTENCY** with the Comprehensive Plan and recommend **ADOPTION** of Amendment 2020-1-S-3-2 (Valencia College Lane); therefore, the development program for this amendment would be added to Policy FLU8.1.4. For specific references of consistency with the Comprehensive Plan, please refer to the staff report for this amendment.

B. Policy Amendments

Following are the policy changes proposed by this amendment. The proposed changes are shown in underline/~~strikethrough~~ format. Staff recommends adoption of the amendment.

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number

<u>2020-1-S-3-2</u> <u>Valencia College</u> <u>Lane</u>	<u>Planned Development-</u> <u>Medium-High Density Residential</u> <u>(PD-MHDR)</u>	<u>Up to 187 multi-family</u> <u>dwelling units</u>	<u>2020-</u>

Staff recommends denial of privately-initiated Future Land Use Map Amendment 2020-1-S-1-4 (Sheen Villas). However, should the Board adopt this amendment, the associated development program will be noted in the Policy FLU8.1.4 table, as shown below in underline/~~strikethrough~~ format.

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number

<u>2020-1-S-1-4</u> <u>Sheen Villas</u>	<u>Resort/Planned Development</u> <u>(R/PD)</u>	<u>Up to 32 resort units</u>	<u>2020-</u>

ORDINANCE NO. 2020-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan;

c. On June 5, 2020 and July 16, 2020, the Orange County Local Planning Agency (“LPA”) held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

d. On July 28, 2020, the Orange County Board of County Commissioners (“Board”) held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance, and decided to adopt them.

54 (b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development
55 amendments adopted in this ordinance may not become effective until 31 days after adoption.
56 However, if an amendment is challenged within 30 days after adoption, the amendment that is
57 challenged may not become effective until the Department of Economic Opportunity or the
58 Administration Commission issues a final order determining that the adopted amendment is in
59 compliance.

60 (c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning
61 changes approved by the Board are contingent upon the related Comprehensive Plan amendment
62 becoming effective. Aside from any such concurrent zoning changes, no development orders,
63 development permits, or land uses dependent on any of these amendments may be issued or
64 commence before the amendments have become effective.

65 ADOPTED THIS 28th DAY OF JULY, 2020.

66 **ORANGE COUNTY, FLORIDA**
67 By: Board of County Commissioners

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69
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71 By: _____
72 Jerry L. Demings
73 Orange County Mayor
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76 ATTEST: Phil Diamond, CPA, County Comptroller
77 As Clerk to the Board of County Commissioners

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80 By: _____
81 Deputy Clerk
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APPENDIX “A”
FUTURE LAND USE MAP AMENDMENTS

Appendix A*		
<i>Privately Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2020-1-S-1-1	Low Density Residential (LDR)	Office (O)
2020-1-S-1-2	Office (O)	Activity Center Mixed Use (ACMU)
2020-1-S-2-2	Office (O)	Low-Medium Density Residential (LMDR)
2020-1-S-2-3	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR) (Senior Housing)
2020-1-S-3-2	Planned Development-Commercial (PD-C)	Planned Development-Medium High Density Residential (PD-MHDR)
2020-1-S-3-4	Low-Medium Density Residential (LMDR)	Office (O)
2020-1-S-4-1	Low-Medium Density Residential (LMDR)	Medium-High Density Residential (MHDR) (Senior Housing)
2020-1-S-6-2	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)
2020-1-S-6-3	Neighborhood Residential (NR) and Commercial (C)	Commercial (C)
2020-1-S-6-4	Medium Density Residential (MDR)	Commercial (C)
2020-1-S-6-5	Low Density Residential (LDR)	Industrial (IND)
*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.		

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LAND USE / REZONING REQUEST

SMALL-SCALE FUTURE LAND USE MAP AMENDMENT AND REZONING REQUEST

Commission District #1
Betsy VanderLey, Commissioner

Case Planners:

Sue Watson, Planner
407-836-5618
Sue.Watson@ocfl.net

Irina Pashinina, Planner
407-836-5935
Irina.Pashinina@ocfl.net

An informational presentation summarizing the Future Land Use Map Amendment & Rezoning application referenced below has been prepared in lieu of holding a formal community meeting.

To access this information and submit any related questions or comments, visit the web address www.bit.ly/ocpublic and select the folder labeled "Wadina Office Project"

You're encouraged to view a prepared informational presentation regarding the Future Land Use Map Amendment and Rezoning application listed below. The presentation includes a summary of the applications and the review process, as well as instructions for providing questions or comments prior to the Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) public hearing.

REQUEST

Future Land Use Map (FLUM) Amendment: 2020-1-S-1-1

From: Low Density Residential (LDR)
To: Office (O)

Rezoning: RZ-20-04-068

From: A-1 (Citrus Rural District)
To: P-O (Professional Office District)

Project Name: Wadina Office Project

Owner: Paul Wadina

Applicant: Alison Yurko, Alison M. Yurko, P.A.

Parcel ID: 28-22-28-6689-13-190

Acreage: 0.20 gross acre

Location: 3750 Old Winter Rd.; or generally south of Old Winter Garden Rd., west of Rowe Ave., north of Market St., and east of Division Ave.

SUBJECT PROPERTY LOCATION



SUMMARY OF REQUEST

The proposal is to change the Future Land Use Map designation from **Low Density Residential (LDR)** to **Office (O)** and a rezoning request from **A-1 (Citrus Rural District)** to **P-O (Professional Office District)** to allow for the development of a 1,150-square-foot medical office building.

PUBLIC HEARING NOTICE

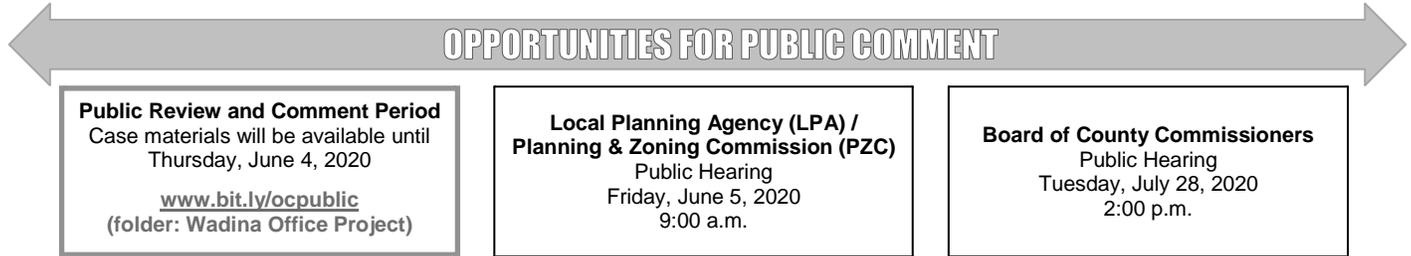
Public hearings for this request will be held before the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and Board of County Commissioners (BCC). Each public hearing will be advertised in the *Orlando Sentinel*. Please note that the hearing dates are tentative and are subject to change.

FREQUENTLY ASKED QUESTIONS

Q: Will there be a community meeting?

Due to the COVID-19 health emergency, Orange County is unable to conduct community meetings at this time. In lieu of a community meeting, we are providing a community review period with information related to the applicant's request shared through a web folder, available at www.bit.ly/ocpublic. Questions or comments may be submitted through the feedback form which is included with the case materials, or via email to the Case Planner(s) listed on this notice.

Q: How can I participate in the development review process?



If you are unable to access the web folder listed above, written comments or requests may be mailed or emailed to the Case Planner. Property information can also be obtained by accessing the Orange County Property Appraiser's website at www.ocpaf1.org or the OCFL Atlas at www.OCFL.net/Atlas.

Q: Where are the public hearings located?

In compliance with CDC's Social Distancing Guidelines and keep our citizens safe, the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and the Board of County Commissioners (BCC) will conduct public hearings virtually until further notice. However, Orange County remains committed to providing alternative public comment platforms. All comments directed to the LPA/PZC may be submitted through feedback forms which are included with the case materials (shared folders are located at www.bit.ly/ocpublic), or by mailing or emailing the Case Planner listed on the front page of this notice. Comments directed to the BCC may be emailed to the Mayor and/or District Commissioners (mayor@ocfl.net, District1@ocfl.net; District2@ocfl.net; District3@ocfl.net; District4@ocfl.net; District5@ocfl.net; and District6@ocfl.net).

Q: What is the difference between Future Land Use and Zoning?

Future Land Use Map designations indicate the general use or "vision" for a property, and regulate the types of activity or development that may ultimately be allowed on it, including maximum allowable residential and non-residential development. Future Land Use Map designations are adopted as part of the County's Comprehensive Plan, with oversight by the State. Zoning districts are more descriptive planning classifications, but must be consistent with Future Land Use Map designations. Zoning categories regulate more specific development aspects, such as allowed uses, building sizes, setbacks, or parking.

Q: What type of activity or development could take place on the subject site today?

The County's adopted 2010-2030 Future Land Use Map depicts the subject site as **Low Density Residential (LDR)**, which allows for the consideration of single-family residential development at a maximum density of four (4) dwelling units per acre. The County's Official Zoning Map depicts the subject parcel as **A-1 (Citrus Rural District)**, which allows for residential home sites and such agricultural uses as citrus production, nurseries, greenhouses, and vegetable farms. However, the Future Land Use is inconsistent with the zoning and most agricultural uses are not allowed.

Q: What type of activity could be considered if the Board of County Commissioners adopted the request?

The **Office (O)** Future Land Use designation allows for the consideration of business and professional office uses. The **P-O (Professional Office District)** zoning district allows for the development of professional office uses. The applicant is proposing to develop a 1,150 square-foot medical office building.

Any party requesting additional information regarding the proposed amendment should contact the Orange County Planning Division at 201 S. Rosalind Ave., 2nd Floor, Orlando, FL, 32801, (407) 836-5600, or via email at planning@ocfl.net.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this proceeding should contact the Orange County Communications Division no later than two (2) business days prior to the proceeding at 201 S. Rosalind Ave., 3rd Floor, Orlando, FL, 32801, (407) 836-6568

Para más información, favor de comunicarse con la División de Planificación, al número (407) 836-3111

Pou plis enfòmasyon, kontakté Dépatman Planifikasyon, nan nimewo (407) 836-3111.



Community Meeting Memorandum

DATE: May 26, 2020
TO: Greg Golgowski, Chief Planner, Planning Division
FROM: Maria Cahill, Project Planner
SUBJECT: Amendment 2020-1-S-1-2 (Buena Vista Commons) – Community Meeting Notes
C: Project file

Location of Project: 11444 S. Apopka Vineland Rd. Generally located south of Lake Buena Vista Woods Blvd. and north of Lake St. on S. Apopka Vineland Rd. between 3rd and 5th St.

Meeting Date and Location: February 16, 2020 at Sand Lake Elementary, 8301 Buenavista Woods Blvd., Orlando, FL 32836

Attendance:

District Commissioner	Betsy VanderLey, Commissioner District 1
Orange County staff	Maria Cahill, Nate Wicke
Applicant team	Constance Silver (applicant)
Property owner	Karam Duggal
Residents	71 notices sent; 22 residents in attendance

Overview of Project: The request is to change the Future Land Use Map designation on a portion of the subject property from Office (O) to Activity Center Mixed Use (ACMU). The portion of the property subject to the FLUM amendment includes Buildings 1 and 2 of Lot 1 within the Buena Vista Commons Planned Development (PD). The PD Change Determination Review (CDR) request would add ACMU uses to the PD for Buildings 1 and 2 of Lot 1 only.

Meeting Summary:

Commissioner VanderLey opened the meeting. Planning staff provided an overview of the request and reviewed the plan amendment schedule and opportunities for public comment. The applicant introduced the project and emphasized that some of the buildings continued to remain vacant and they are looking for additional tenants. The applicant stated that the Daycare, Vet Clinic and last building within the PD that has yet to be built will remain office. The new activity Center Mixed Uses would be within existing Buildings 1 and 2 that front on S. Apopka Vineland Rd.

There was a related amendment in 2013, at the time two Community Meetings had previously been held one on August 21, 2013, with 98 members of the public in attendance and October 3, 2013 with 58 in attendance where the introduction of commercial uses into the FLUM and Planned Development was discussed. The residents from the adjacent mobile home park residents are very concerned about the introduction of Activity Center Mixed Uses into the development.

More recently for the review of the current amendment 2020-1-S-1-2, this Community Meeting was held on February 18, 2020, at Sand Lake Elementary School. Although fewer in attendance than previous meetings and with a mixed response, twenty-one (21) attendees continued to express concerns related to the proposed uses, lighting, buffering, traffic, intersection signalization, access, and property maintenance. They were happy to hear the uses would be restricted and not all Activity Center Mixed Uses would be allowed.

The meeting adjourned at 7:00 p.m. The overall tone of the meeting was **Mixed**.



Community Meeting Memorandum

DATE: March 3, 2020
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Sue Watson, Planner
SUBJECT: Amendment 2020-1-S-2-2 & Rezoning RZ-20-04-072 Community Meeting Synopsis
C: Project File

Location of Project: 310 S. Lake Pleasant Rd., Generally located on the west side of S. Lake Pleasant Rd., north of E. Semoran Blvd., south of Wekiva Crossing Blvd., and east of Semoran Commerce Pl.

Meeting Date and Location: Monday, March 2, 2020 at 6:00 PM at Lovell Elementary School, 815 Roger Williams Road, Apopka, FL 32703

Attendance:

District Commissioner	District 2 Commissioner Christine Moore
PZC/LPA Commissioner	District 2 Commissioner Diane Velazquez
Orange County Staff	Sue Watson, Christopher DeManche, Sapho Vatel, Planning Division Francisco Villar, P.E., Senior Engineer, Development Engineering Division
Applicant/Owner	Junias Desamour
Residents	109 notices sent; 1 resident in attendance

Overview of Project: The applicant, Junias Desamour, is requesting to change the Future Land Use Map (FLUM) designation of the 0.50-acre subject property from Office (O) to Low-Medium Density Residential (LMDR) and to rezone the property from P-O (Professional Office District) to R-2 (Residential District) to allow for the development of four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit.

Meeting Summary: Planner Sue Watson opened the meeting at 6:10 PM and introduced District 2 Commissioner Christine Moore, District 2 PZC/LPA Commissioner, Diane Velazquez, Christopher DeManche and Sapho Vatel, Orange County Planning Division, Francisco Villar, P.E., Senior Engineer, Development Engineering Division, and the applicant, Junias Desamour. Ms. Watson provided an overview of the project and informed those in attendance that the applicant is seeking to change the future land use designation of the subject site from O to LMDR and to rezone the property from P-O to R-2 to allow for the development of four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit. Ms. Watson informed the resident that the FLUMA and Rezoning Applications will be heard concurrently.

Staff summarized the Future Land Use Map Amendment and Rezoning processes and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizen if he had any questions. There were no questions and staff turned the meeting over to the applicant, Mr.

Desamour and he provided an overview of the project. The proposal is to construct four (4) single-family attached units (2 duplexes) and one (1) single-family detached unit. Mr. Desamour stated that the proposed residential units would be two-story and would contain approximately 1300 – 1500 square feet of living area. The four attached units that he is proposing to build will have three bedrooms and two and one-half bathrooms and the detached unit will have four bedrooms and two and one-half bathrooms. All the units will have single-car garages. Mr. Desamour stated that he got the idea to build the proposed residential units from his employees because they expressed to him that it is difficult for them to find decent rental housing at affordable prices. He would like to be able to rent the units to his employees if the FLUMA and Rezoning applications are approved. Mr. Desamour provided a concept site layout plan. He stated there would be only one driveway and that it would meet Orange County Fire Department Codes and requirements. After Mr. Desamour presented his proposal, he opened the meeting up for questions.

Questions and Comments:

Commissioner Moore asked Mr. Desamour if water and sewer were available. Mr. Desamour provided a letter that from Orange County Utilities (OCU) that stated that water and sewer capacity is available for the proposed project.

Commissioner Moore stated she would like for the proposed residential units to connect to central sewer and that she was not in favor of the use of septic tanks.

Commissioner Moore asked if the proposed residential project would have sufficient parking. Mr. Desamour stated there would be sufficient parking for the proposed project. He is proposing to provide two (2) parking spaces for each unit (one space inside the single-car garage and one space in the driveway) plus five (5) additional parking spaces will be provided on-site. Fifteen (15) total parking spaces are proposed.

Commissioner Moore and the resident both thought that five (5) residential units were too many units to build on the 0.50-acre site. They thought four units were a more reasonable request. Mr. Desamour stated that he wanted to provide rental homes for his employees. One of his employees has three (3) kids and he wanted to build the four bedrooms and two and one-half bath unit for her. He stated the monthly rent for the units would be approximately \$1,300 - \$1,400. Mr. Desamour showed a rendering of what the units could potentially look like. He also stated that the proposed units could be rented to others as well as his employees.

Commissioner Moore also stated she would like for the applicant to provide a play area for the proposed complex since Mr. Desamour would be renting to people who have children. She stated she wanted the children to have a safe play area within the residential complex, away from S. Lake Pleasant Road, since it serves as the entrance for the residential subdivisions located north and east of the subject property. Finally, Commissioner Moore also suggested that Mr. Desamour and his architect schedule a meeting with her to further discuss the proposed project.

There were no more questions and the meeting was adjourned at 6:46 P.M. The overall tone of the meeting was **POSITIVE**.



Community Meeting Memorandum

DATE: March 16, 2020
TO: Greg Golgowski, Chief Planner, Planning Division
FROM: Chris DeManche, Planner III
SUBJECT: Amendment 2020-1-S-2-3 – Community Meeting Notes
C: Project file

Location of Project: North Powers Drive; west of N. Powers Drive, north of Fox Briar Trail, south of Quarter Horse Lane, and east of Renoir Drive

Meeting Date and Location: March 12, 2020 at 6:00 pm at Meadowbrook Middle School

Attendance:

District Commissioner	Kathy Marsh, aide to District 2 Commissioner Christine Moore
Orange County staff	Chris DeManche and Nick Thalmueller, Planning Division
Applicant team	Jean M. Abi-Aoun, P.E.; Jared M. Huhn
Property owner	Pastor David Jacques
Residents	207 notices sent; 70 residents in attendance

Overview of Project: The applicant’s request is to amend the Future Land Use Map designation of the 8.97-acre subject property, presently an undeveloped parcel, from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing). The applicant has also requested to change the zoning classification of the property from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD). The property owner, Pastor David Jacques, is proposing to construct a 55+ deed-restricted community comprised of seventy (70) single-family attached dwelling units.

Meeting Summary: Mr. DeManche provided an overview of the request, noting the application included both a change to the Future Land Use Map designation and the zoning classification of the subject property. Mr. DeManche explained the purpose of future land use designation, and how the requested change would increase the property’s overall density levels. Mr. DeManche explained the purpose of zoning and discussed permitted uses under both the current and proposed zoning classifications. Mr. DeManche informed the meeting attendees that two public hearings would be held for these two requests– the first before the Planning and Zoning Commission/Local Planning Agency (LPA) on April 16, 2020, and the second before the Board of County Commissioners (BCC) on May 5, 2020.

A total of seventy residents were in attendance. The residents had a positive reaction overall to the proposed project. The residents did express concern about the impact of the project along the southern portion of the property and questioned whether the existing large oak trees would

be protected. The applicant's representative, Jean M. Abi-Aoun, stated efforts would be made to preserve as many of the existing oak trees as possible. Mr. Abi-Aoun also stated additional buffering will be considered, where possible. Residents asked whether the project would be walled or fenced. Mr. Abi-Aoun stated no wall was proposed due to costs, but the addition of a fence along the perimeter of the site would be considered. The residents inquired about unit sizes for the townhomes. Mr. Abi-Aoun stated a cost analysis had not been completed to determine specific unit sizes, but units between 750 square feet and 1250 square feet were being considered. The residents asked if the proposed development would be gated. Mr. Abi-Aoun noted the community would not be gated. The residents questioned how the 55+ age restriction would be enforced. The applicant, David Jacques, noted the age restriction would be enforced through deed restriction and the enforcement efforts of the homeowners association.

The meeting adjourned at 7:15 p.m. The overall tone of the meeting was **POSITIVE**.



Community Meeting Memorandum

DATE: March 16, 2020
TO: Greg Golgowski, Chief Planner, Planning Division
FROM: Chris DeManche, Planner III
SUBJECT: Amendment 2020-1-S-2-3 – Community Meeting Notes
C: Project file

Location of Project: North Powers Drive; west of N. Powers Drive, north of Fox Briar Trail, south of Quarter Horse Lane, and east of Renoir Drive

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Attendance:

District Commissioner	Kathy Marsh, aide to District 2 Commissioner Christine Moore
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Applicant team	Jean M. Abi-Aoun, P.E.; Jared M. Huhn
Property owner	Pastor David Jacques
Residents	207 notices sent; 70 residents in attendance

Overview of Project: The applicant's request is to amend the Future Land Use Map designation of the 8.97-acre subject property, presently an undeveloped parcel, from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing). The applicant has also requested to change the zoning classification of the property from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD). The property owner, Pastor David Jacques, is proposing to construct a 55+ deed-restricted community comprised of seventy (70) single-family attached dwelling units.

Meeting Summary: Mr. DeManche provided an overview of the request, noting the application included both a change to the Future Land Use Map designation and the zoning classification of the subject property. Mr. DeManche explained the purpose of future land use designation, and how the requested change would increase the property's overall density levels. Mr. DeManche explained the purpose of zoning and discussed permitted uses under both the current and proposed zoning classifications. Mr. DeManche informed the meeting attendees that two public hearings would be held for these two requests– the first before the Planning and Zoning Commission/Local Planning Agency (LPA) on April 16, 2020, and the second before the Board of County Commissioners (BCC) on May 5, 2020.

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The meeting adjourned at 7:15 p.m. The overall tone of the meeting was **POSITIVE**.



PUBLIC HEARING NOTICE

Planning, Environmental & Development Services - Planning Division

FUTURE LAND USE MAP AMENDMENT

Commission District #3
Mayra Uribe, Commissioner

Case Planner:
Jennifer DuBois, Planner
407-836-5396
Jennifer.DuBois@ocfl.net

Friday, June 5, 2020 – 9:30 a.m.
LOCAL PLANNING AGENCY (LPA) /
PLANNING & ZONING COMMISSION (PZC)

Watch Live on OrangeTV:
<http://orangecountyfl.net/OpenGovernment/OrangeTVVisionTV.aspx>

CASE INFORMATION

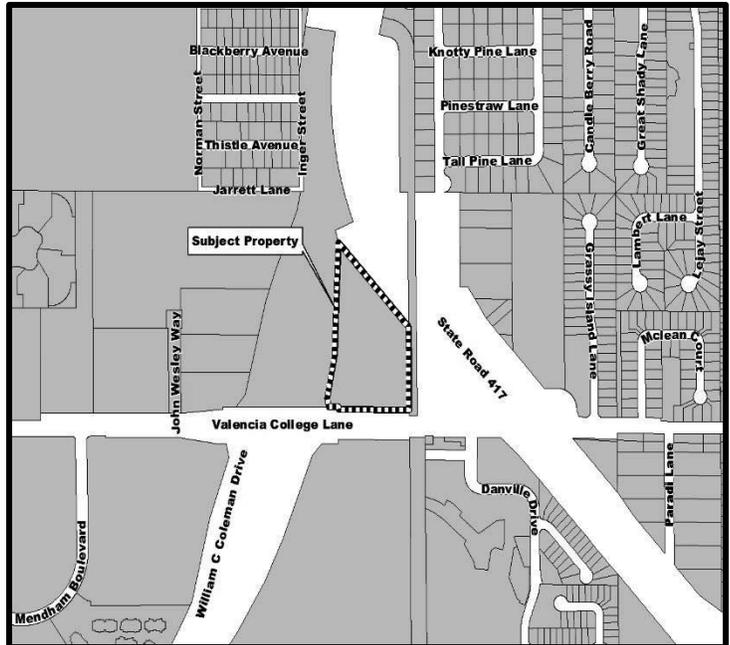
Case Number: 2020-1-S-3-2
Project Name: Valencia College Lane PD
Parcel ID: 24-22-30-0000-00-005
Location: 8751 Valencia College Lane; generally located north of Valencia College Lane, west of SR 417, and east of John Wesley Way.
Acreage: 7.83 gross acres

REQUEST

Future Land Use Map (FLUM) Amendment:
From: Planned Development-Commercial (PD-C)
To: Planned Development-Medium-High Density Residential (PD-MHDR)

Change Determination Review (CDR) Request:
A proposed substantial change to the current Valencia College Lane PD Land Use Plan, Case CDR-20-02-032, is expected to be heard concurrently with the requested FLUM Amendment during the July 28, 2020 Board of County Commissioners (BCC) meeting. The proposal is to develop up to 252 multi-family dwelling units on the site, in lieu of the currently-approved 75,000 square feet of commercial uses.

SUBJECT PROPERTY LOCATION



APPEALS

Section 286.0105, Florida Statutes, states that "if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

Any person aggrieved by a decision rendered by the LPA may file an appeal within fifteen (15) calendar days of the decision date. All appeals are subject to a \$483 filing fee.

Recommendations by the Local Planning Agency (LPA) do not become final until:

The fifteen (15) calendar day appeal period has expired without a timely appeal having been filed

AND

The Board of County Commissioners approves the LPA's recommendation.

OCFL ATLAS

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Downloadable on Google Play and Apple Store:

Google

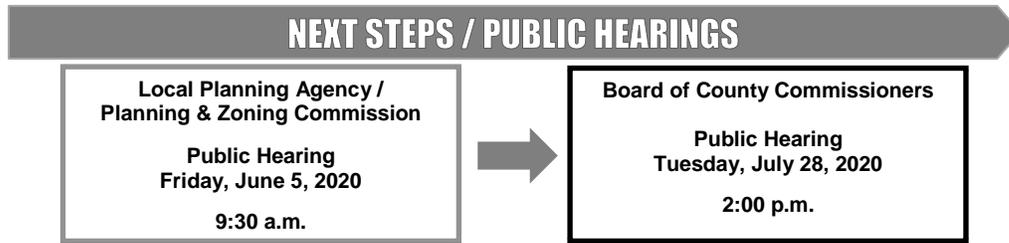


Apple



FREQUENTLY ASKED QUESTIONS

Q: When are the upcoming public hearings for this case and how can I view them?



As shown above, two (2) public hearings for the subject FLUM Amendment application will be held.

ALL LPA MEETINGS ARE DIGITALLY RECORDED & BROADCASTED ON ORANGE TV

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- Channel 99 on AT&T U-VERSE
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Previous LPA/PZC public hearings are available at:
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Q: How can I provide questions or comments about the application or speak during the LPA/PZC Public Hearing?

The scheduled LPA/PZC public hearing will be held “virtually” utilizing communications media technology made permissible pursuant to Governor Ron DeSantis’s Emergency Executive Order No. 20-69 related to the Covid-19 state of emergency, as amended.

Information on Attending or Observing the Meeting:

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In addition, the meeting may also be observed by appearing in person at the First Floor of the Orange County Administration Center at 201 S. Rosalind Avenue in downtown Orlando, Florida. Orange County staff will be present to ensure that social distancing and other health and safety measures are practiced and enforced.

Information on Providing Public Comments or Questions Regarding this Specific Case:

Written comments or questions may be submitted by visiting the web address www.bit.ly/ocpublic, selecting the folder for this case (**2020-1-S-3-2**), and opening / submitting the electronic “Feedback Form”. You may also contact the case planner listed on the front of this notice; mail your comments/questions via the comments section below to “Orange County Planning Division, P.O. Box 2687, Orlando, FL 32802-2687”; or fax your comments/questions to (407) 836-5862.

Information on Providing Testimony or Participating in this Hearing:

Members of the public who would like to provide testimony during the hearing for this case may utilize one of two options:

- Persons may join and participate in the meeting through the video section of WebEx found in link on the County Calendar at <https://www.orangecountyfl.net/Home/CountyCalendar.aspx>; or
- Persons may attend the meeting in person at the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida.

Please note that LPA/PZC members will not be physically present, and persons will communicate virtually with the LPA/PZC members from a kiosk equipped with a laptop. Persons will be able to see and hear the LPA/PZC members and the LPA/PZC members will see and hear the person. Also, please note that the time allotted to each individual for testimony will be at the sole discretion of the LPA/PZC Chairperson, and may be reduced from the normal time limit of three minutes, depending on the number of speakers. Orange County staff will be present to assist at the kiosk and to ensure that social distancing and other health and safety measures are practiced and enforced.

If a person is unable to attend the LPA/PZC meeting in person or access the WebEx meeting via a computer, please call Olan D. Hill, Assistant Manager, Orange County Planning Division, at 407-836-5373 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except legal holidays, not later than 24 hours before the meeting, so that he can determine with the person whether other arrangements are feasible.



Community Meeting Memorandum

DATE: March 10, 2020
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Sue Watson, Planner
SUBJECT: Amendment 2020-1-S-3-4 & Rezoning RZ-20-04-074 Community Meeting Synopsis
C: Project File

Location of Project: 2500 S. Bumby Avenue; Generally described as located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.

Meeting Date and Location: Monday, March 9, 2020 at 6:00 PM at Blankner K-8 School, 2500 S. Mills Avenue, Orlando, FL 32806

Attendance:

District Commissioner	Cortez Whatley, Commissioner's Aide, District 3
Orange County Staff	Sue Watson, Misty Mills, and Irina Pashinina, Planning Division Francisco Villar, P.E., Senior Engineer, Public Works Division
Applicant	Elizabeth Bertrand
Residents	196 notices sent; no residents in attendance

Overview of Project: The applicant, Elizabeth Bertrand, is requesting to change the Future Land Use Map (FLUM) designation of the 0.17-acre subject property from Low-Medium Density Residential (LMDR) to Office (O). The proposed Future Land Use Map designation would allow for the development of up to 1,900 square feet of office uses.

Meeting Summary: With no attendees by 6:15pm, the meeting was adjourned and the overall tone was **POSITIVE**.



Community Meeting Memorandum

DATE: March 12, 2020
TO: Greg Golgowski, Chief Planner, Planning Division
FROM: Misty Mills, Planner III
SUBJECT: Amendment 2020-1-S-4-1 – Community Meeting Notes
C: Project file

Location of Project: 707 Woodbury Road, generally located south of Lake Underhill Rd., east of Woodbury Rd, north of Woodbury Pines Cir., and west of Lexingdale Dr.

Meeting Date and Location: March 11, 2020 at 6:30 pm at Waterford Lakes Elementary School

Attendance:

District Commissioner	Maribel Gomez-Cordero District 4 Commissioner
Orange County staff	Misty Mills, Greg Golgowski, James Hartsfield and Sapho Vatel Planning Division
Applicant team	John Smoger
Residents	192 notices sent; approximately 80 residents in attendance

Overview of Project: The applicant, Carlos Rivero, representing the property owner 707 Woodbury LLC, submitted an application with a request to change the Future Land Use Map (FLUM) designation from Low-Medium Density Residential (LMDR) to Medium-High Density Residential (MHDR)- for property located at 707 Woodbury Road. The petitioned site consists of one parcel with 1.8 gross/net developable acres. The site is undeveloped.

In conjunction with the FLUM Amendment, the applicant applied for a zoning change from R-2 (Residential Dwelling District) to PD (Planned Development District). Provided the future land use map amendment is approved, the density represents the maximum development potential; the actual development may be lower depending on site constraints or other issues to be addressed at the P-D (Planned Development) rezoning stage. A P-D (Planned Development District) zoning ensures that development will occur according to limitations of use, design, density, coverage and phasing stipulated on an approved development plan. (Orange County Code Sec. 38-1201).

The site is undeveloped. The proposal is to develop up to sixty-three (63) senior housing units.

Meeting Summary: Mrs. Mills provided an overview of the process. John Smoger then provided information specific to the request.

There were significant concerns about existing traffic conditions, citing a 2012 study that claimed the

Waterford/Underhill intersection was unsafe as well as multiple instances of children being hit by unsafe drivers. There were also concerns raised about the potential for this project to attract pedophiles/ sexual predators. There were frustration with regards to the notification distance for the community meeting, with many residents claiming they received no notice. There was a question on if the state/county could utilize eminent domain to acquire the property. There were concerns about the potential failure of the proposed project and whether or not that would change the restrictions currently being proposed. In regard to the details of the project itself questions were raised about potential access points, proposed heights, what percentage of the proposed multifamily units would be restricted to 55+ (80%), and subsequent questions about what the age restriction on the remaining 20% would be. There was a question about the purpose of the meeting, how staff and the applicant would use the feedback from the community meeting, and whether or not the applicant submitted traffic study is available to the public. One resident demanded that the April PZC hearing be delayed to allow the residents time to organize against the proposal.

The meeting adjourned at 7:00 p.m. The overall tone of the meeting was **NEGATIVE**.



PUBLIC HEARING NOTICE

Planning, Environmental & Development Services - Planning Division

FUTURE LAND USE MAP AMENDMENT & REZONING

Commission District #6

Victoria P. Siplin,
Commissioner

Case Planners:

Jennifer DuBois, Planner
407-836-5396
Jennifer.DuBois@ocfl.net

John Harbilas, Planner
407-836-5611

John.Harbilas@ocfl.net

Friday, June 5, 2020 – 10:00 a.m.
LOCAL PLANNING AGENCY (LPA) /
PLANNING & ZONING COMMISSION (PZC)

Watch Live on OrangeTV:
<http://orangecountyfl.net/OpenGovernment/OrangeTVVisionTV.aspx>

CASE INFORMATION

Case Numbers: FLUM: 2020-1-S-6-2
Rezoning: RZ-20-04-067

Project Name: 4301 S Rio Grande Avenue

Parcel ID: 10-23-29-6152-04-110

Location: 4301 S Rio Grande Avenue; Generally located east of S Rio Grande Avenue, south of 43rd Street, and west of S Nashville Avenue.

Acreeage: 0.30 gross acre

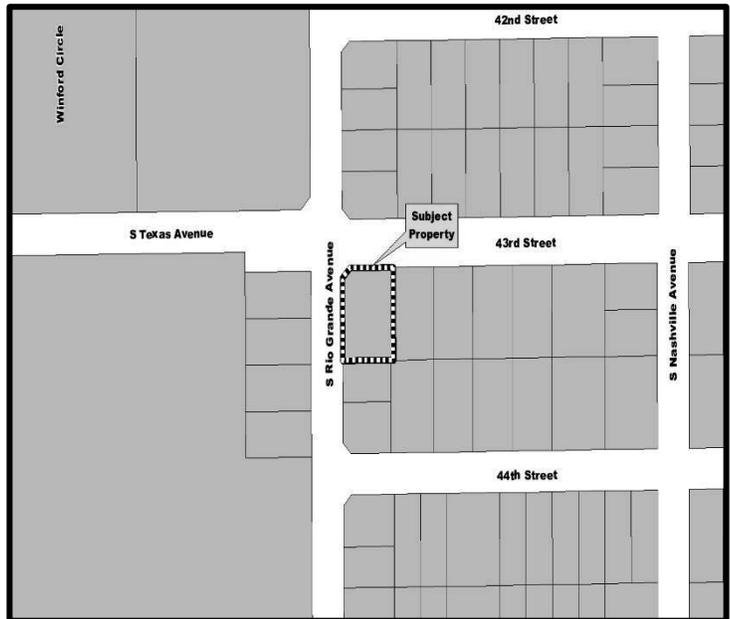
REQUEST

Future Land Use Map Amendment:
From: Low Density Residential (LDR)
To: Low-Medium Density Residential (LMDR)

Rezoning:
From: R-1A (Single-Family Dwelling District)
To: R-1 (Single-Family Dwelling District)

The proposal is to divide the property into two lots and construct a single-family detached home on each.

SUBJECT PROPERTY LOCATION



APPEALS

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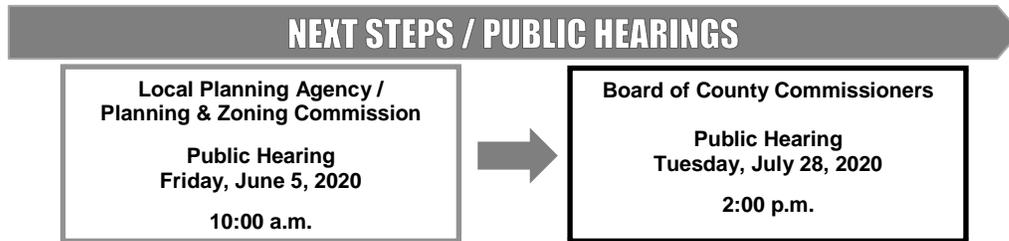


Apple



FREQUENTLY ASKED QUESTIONS

Q: When are the upcoming public hearings for this case and how can I view them?



As shown above, two (2) public hearings for the subject FLUM Amendment and rezoning applications will be held.

**ALL LPA MEETINGS ARE DIGITALLY RECORDED &
BROADCASTED ON ORANGE TV**

- **Channel 488 on SPECTRUM**
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Information on Providing Public Comments or Questions Regarding this Specific Case:

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Information on Providing Testimony or Participating in this Hearing:

Members of the public who would like to provide testimony during the hearing for this case may utilize one of two options:

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Commission District #6

Victoria P. Siplin, Commissioner

Case Planner:

Chris DeManche, Planner III

407-836-5619

Christopher.DeManche@ocfl.net

LAND USE CHANGE REQUEST

SMALL-SCALE FUTURE LAND USE MAP AMENDMENT

An informational presentation summarizing the Future Land Use Map Amendment application referenced below has been prepared in lieu of holding a formal community meeting. To access this information and submit any related questions or comments, visit the web address www.bit.ly/ocpublic and select the folder labeled "Waste Pro"

You're encouraged to view a prepared informational presentation regarding the Future Land Use Map Amendment application listed below. The presentation includes a summary of the applications and the review process, as well as instructions for providing questions or comments prior to the Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) public hearing.

REQUEST

Future Land Use Map (FLUM) Amendment: 2020-1-S-6-3

From: Neighborhood Residential (NR)
To: Commercial (C)

Owner: Sean Jennings

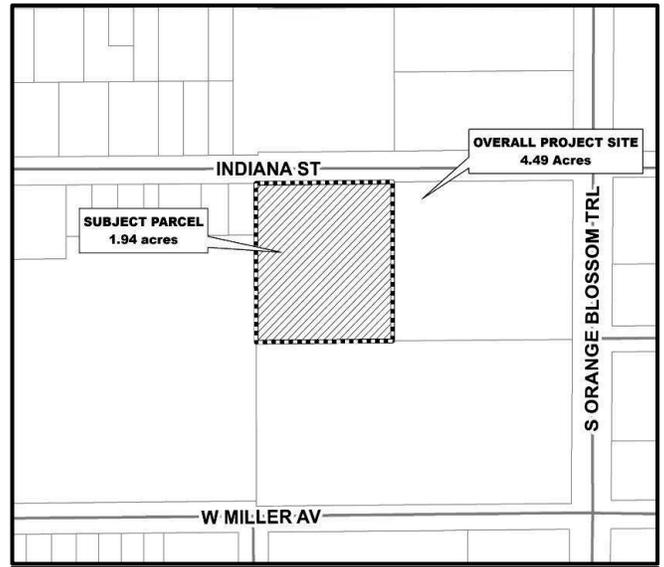
Applicant: Harland Chadbourne

Parcel ID: 34-22-29-6316-00-252 (portion of)

Acreage: 1.94 gross acres of an overall 4.49 gross acre parent parcel (FLUM Amendment)

Location: 1400 S. Orange Blossom Trail, Generally located west of S. Orange Blossom Trail, south of Indiana St., north of W. Miller Avenue, and east of S. Rio Grande Avenue

SUBJECT PROPERTY LOCATION



SUMMARY OF REQUEST

The proposed plan is to change the Future Land Use Map designation of the subject property from **Neighborhood Residential (NR)** to **Commercial (C)**.

PUBLIC HEARING NOTICE

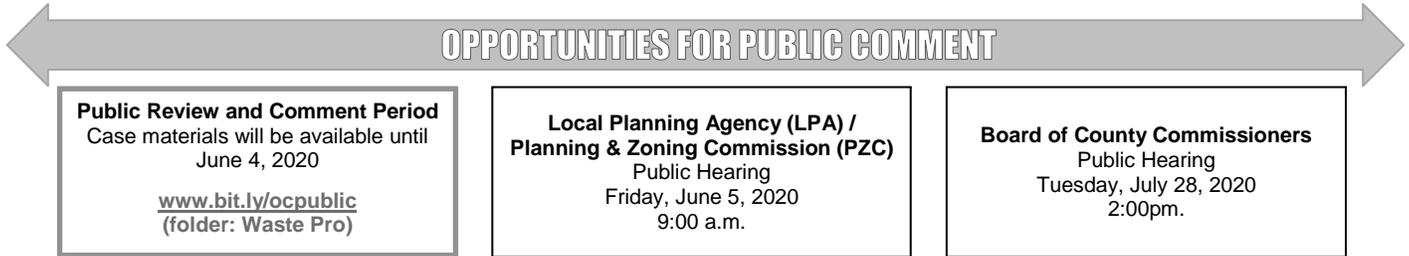
Public hearings for this request will be held before the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and Board of County Commissioners (BCC). Each public hearing will be advertised in the *Orlando Sentinel*. Please note that the hearing dates are tentative and are subject to change.

FREQUENTLY ASKED QUESTIONS

Q: Will there be a community meeting?

Due to the COVID-19 health emergency, Orange County is unable to conduct community meetings at this time. In lieu of a community meeting, we are providing a community review period with information related to the applicant's request shared through a web folder, available at www.bit.ly/ocpublic. Questions or comments may be submitted through the feedback form which is included with the case materials, or via email to the Case Planner(s) listed on this notice.

Q: How can I participate in the development review process?



If you are unable to access the web folder listed above, written comments or requests may be mailed or emailed to the Case Planner. Property information can also be obtained by accessing the Orange County Property Appraiser's website at www.ocpaf.org or the OCFL Atlas at www.OCFL.net/Atlas.

Q: Where are the public hearings located?

In compliance with CDC's Social Distancing Guidelines and keep our citizens safe, the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and the Board of County Commissioners (BCC) will conduct public hearings virtually until further notice. However, Orange County remains committed to providing alternative public comment platforms. All comments directed to the LPA/PZC may be submitted through feedback forms which are included with the case materials (shared folders are located at www.bit.ly/ocpublic), or by mailing or emailing the Case Planner listed on the front page of this notice. Comments directed to the BCC may be emailed to the Mayor and/or District Commissioners (mayor@ocfl.net, District1@ocfl.net; District2@ocfl.net; District3@ocfl.net; District4@ocfl.net; District5@ocfl.net; and District6@ocfl.net).

Q: What is the difference between Future Land Use and Zoning?

Future Land Use Map designations indicate the general use or "vision" for a property, and regulate the types of activity or development that may ultimately be allowed on it, including maximum allowable residential and non-residential development. Future Land Use Map designations are adopted as part of the County's Comprehensive Plan, with oversight by the State. Zoning districts are more descriptive planning classifications, but must be consistent with Future Land Use Map designations. Zoning categories regulate more specific development aspects, such as allowed uses, building sizes, setbacks, or parking.

Q: What type of activity or development could take place on the subject site today?

The County's adopted 2010-2030 Future Land Use Map depicts the subject site as **Neighborhood Residential (NR)**, which provides for diverse residential densities at higher densities than in surrounding neighborhoods in the Neighborhood Activity Corridor. **NR** allows for a maximum density of up to twenty (20) dwelling units per acre and up to 0.40 Floor Area Ratio (FAR) for non-residential uses. The County's Official Zoning Map depicts the property as **C-3 (Wholesale Commercial District)**, which provides for more intense commercial and quasi-industrial activity.

Q: What type of activity could be considered if the Board of County Commissioners adopted the request?

The requested **Commercial (C)** Future Land Use designation allows for the consideration of neighborhood and community scale commercial and office development.

A total of 126,759 sq. ft. of commercial uses could be approved on the 1.94 gross acres, or a total of 293,376 sq. ft. of commercial uses could be approved on the entire 4.49 gross acre site.

The applicant is proposing to construct a compression natural gas station to service Waste Pro company vehicles.

Any party requesting additional information regarding the proposed amendment should contact the Orange County Planning Division: 201 S. Rosalind Ave., 2nd Floor, Orlando, FL, 32801, (407) 836-5600, or via email at planning@ocfl.net.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this proceeding should contact the Orange County Communications Division no later than two (2) business days prior to the proceeding, at 201 S. Rosalind Ave., 3rd Floor, Orlando, FL, (407) 836-6568.

Para más información, favor de comunicarse con la División de Planificación, al número (407) 836-5600.

Pou plis enfòmasyon, kontakté Dépatman Planifikasyon, nan nimewo (407) 836-5600.



Community Meeting Memorandum

DATE: May 22, 2020
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Jennifer DuBois, Senior Planner
SUBJECT: Amendment 2020-1-S-6-4 (Burroughs Drive) Community Meeting Synopsis
C: Project File

Location of Project: Generally located behind the Westgate Square shopping center, east of N Hiawassee Road, north of Silver Star Road, south of Burroughs Court, and west of Environs Boulevard

Parcel ID Number: 13-22-28-0000-00-044

Meeting Date and Location: Wednesday, February 19, 2020 at 6:00 p.m. at the Barnett Park Administration Center – Marlin Room, 4801 W Colonial Drive, Orlando, Florida 32808

Attendance:

District Commissioner	Victoria P. Siplin, Commissioner, District 6 Rose-Nancy Joseph, Commissioner’s Aide, District 6
Orange County Staff	Jennifer DuBois, Planning Division Leonardo Quiterio, Development Engineering Division
Applicants	Andrea Cardo and Stuart Anderson, Interplan, LLC
Residents	136 notices sent; 4 residents in attendance

Overview of Project: The applicant, Andrea Cardo, is seeking to change the Future Land Use Map (FLUM) designation of the 1.42-acre subject parcel, presently undeveloped, from Medium Density Residential (MDR) to Commercial (C). If this request is approved, it is the intent of the owner, Virtus North America, LLC, to develop up to 14,000 square feet of neighborhood-serving commercial and/or office space on the site. As stated in the application package, uses will be limited to those permitted under the property’s current C-1 (Retail Commercial District) zoning classification, as established in Section 38-77, Use Table, of the Orange County Code.

The subject property is situated behind Westgate Square, a multi-tenant commercial plaza featuring approximately 156,487 square feet of gross leasable area located at the intersection of the heavily-traveled N Hiawassee Road and Silver Star Road corridors, and an Orange County lift station. Access to the site is solely achievable through the shopping center, as it lacks frontage on N Hiawassee Road or Silver Star Road. In addition, the property has no vehicular connectivity to the abutting Kensington Cottages multi-family community to the north or the adjacent manufactured home neighborhood, The Groves, to the east, as it is separated from both by vegetation and fencing.

Since the inception of zoning in the County on October 6, 1957, the parcel has possessed the C-1 (Retail Commercial District) zoning classification—a category that is inconsistent with its current Medium Density Residential (MDR) future land use designation, assigned via the July 1, 1991, adoption of the Orange County Comprehensive Plan. At this time, the applicant wishes to bring the future land use designation of the property into conformance with its C-1 zoning classification to allow for its utilization for commercial and/or office use.

Meeting Summary: Planner Jennifer DuBois from the Comprehensive Planning Section opened the meeting and provided an overview of the requested Future Land Use Map Amendment for the four residents in attendance. She informed the attendees of the upcoming Local Planning Agency (LPA) and Board of County Commissioners (BCC) adoption public hearing dates.

The applicant team, Andrea Cardo and Stuart Anderson of Interplan, LLC, presented their request to develop up to 14,000 square feet of non-residential space on the 1.42-acre site, in accordance with the property's existing C-1 (Retail Commercial District) zoning classification.

While the four meeting attendees did not appear to object to the development of the subject parcel for non-residential purposes, they raised questions about the intended use of the site. In response, Ms. Cardo and Mr. Anderson stated that due to the property's lack of visibility and direct access from either N Hiwassee Road or Silver Star Road, the site will likely be developed for a "destination" office use, such as a medical or dental office. Ms. DuBois clarified that the property's existing C-1 zoning classification allows for the development of both neighborhood-serving commercial and office uses, adding that the C-1 zoning district is the least intense of the County's commercial categories.

With respect to access management, Ms. Cardo and Mr. Anderson confirmed that access to the subject site will be achieved solely through the Westgate Square shopping center. To help ensure the protection of neighboring residential development, they emphasized that there will be no connectivity through the Kensington Cottages multi-family community to the north or The Groves manufactured home neighborhood to the east.

Ms. Cardo and Mr. Anderson stated that if the proposed amendment is adopted, they will then proceed through commercial plans review, during which such issues as landscaping and buffering from adjacent residential development, access management, parking, lighting, architectural design, and stormwater retention will be addressed in detail.

Ms. DuBois thanked the meeting attendees for their participation. District 6 Commissioner Victoria Siplin also thanked the participants and encouraged them to contact her office with any questions or concerns.

The meeting adjourned at 6:30 p.m., and the overall tone was **POSITIVE**.



Commission District 6

Victoria P. Siplin, Commissioner

Case Planners:

Chris DeManche, Planner III
407-836-5619
Christopher.DeManche@ocfl.net
Sapho Vatel, Planner II
407-836-5616
Sapho.Vatel@ocfl.net

LAND USE / REZONING REQUEST

SMALL-SCALE FUTURE LAND USE MAP AMENDMENT AND REZONING REQUEST

An informational presentation summarizing the Future Land Use Map Amendment & Rezoning application referenced below has been prepared in lieu of holding a formal community meeting. To access this information and submit any related questions or comments, visit the web address www.bit.ly/ocpublic and select the folder labeled "Truck Parking"

You're encouraged to view a prepared informational presentation regarding the Future Land Use Map Amendment and Rezoning application listed below. The presentation includes a summary of the applications and the review process, as well as instructions for providing questions or comments prior to the Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) public hearing.

REQUEST

Future Land Use Map (FLUM) Amendment: 2020-1-S-6-5

From: Low Density Residential (LDR)
To: Industrial (IND)

Rezoning: RZ-20-04-075

From: R-1 (Single-Family Dwelling District)
To: I-2 / I-3 (Industrial District)

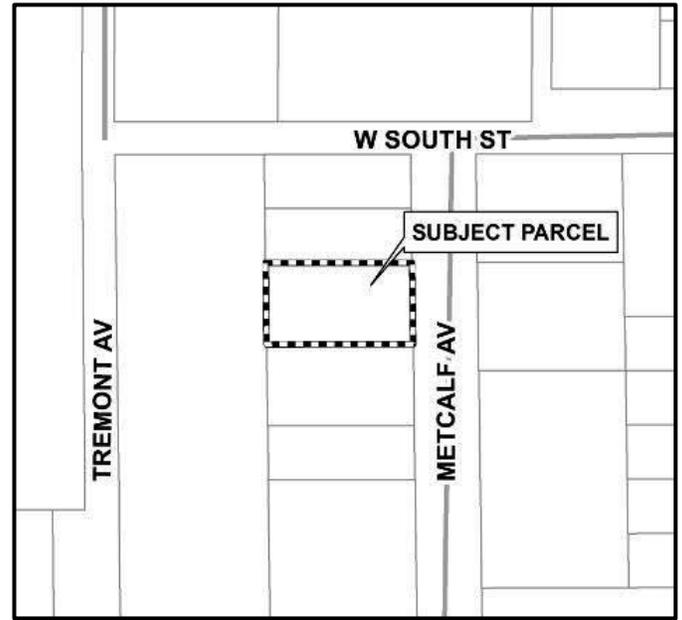
Owner: Debica Lachman

Parcel ID: 30-22-29-6244-03-050;
30-22-29-6244-03-070

Acreage: 0.24 gross acres

Location: 318 and 324 Metcalf Avenue; Generally located west of Metcalf Avenue, south of W. South Street, east of Tremont Avenue, and north of Huppel Avenue

SUBJECT PROPERTY LOCATION



SUMMARY OF REQUEST

The proposed plan is to change the Future Land Use Map designation on the subject property from **Low Density Residential (LDR)** to **Industrial (IND)**. The request is also to change the zoning classification of the property from **R-1 (Single-Family Dwelling District)** to **I-2 / I-3 (Industrial District)**.

PUBLIC HEARING NOTICE

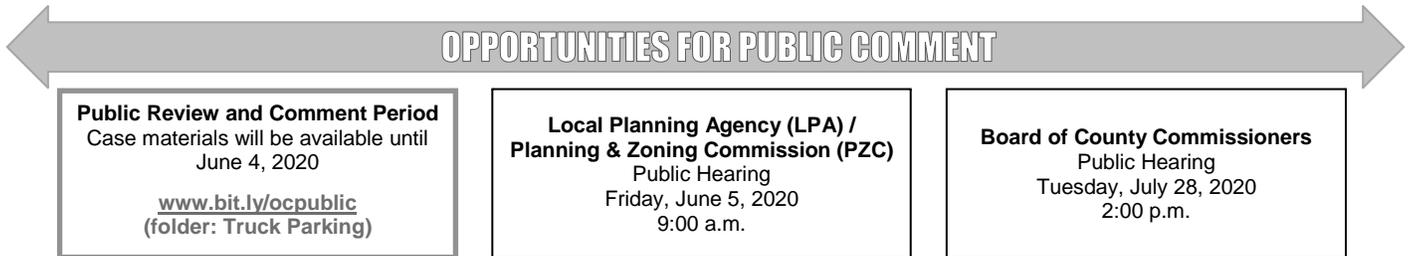
Public hearings for this request will be held before the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and Board of County Commissioners (BCC). Each public hearing will be advertised in the *Orlando Sentinel*. Please note that the hearing dates are tentative and are subject to change.

FREQUENTLY ASKED QUESTIONS

Q: Will there be a community meeting?

Due to the COVID-19 health emergency, Orange County is unable to conduct community meetings at this time. In lieu of a community meeting, we are providing a community review period with information related to the applicant's request shared through a web folder, available at www.bit.ly/ocpublic. Questions or comments may be submitted through the feedback form which is included with the case materials, or via email to the Case Planner(s) listed on this notice.

Q: How can I participate in the development review process?



If you are unable to access the web folder listed above, written comments or requests may be mailed or emailed to the Case Planner. Property information can also be obtained by accessing the Orange County Property Appraiser's website at www.ocpaf.org or the OCFL Atlas at www.Ocfl.net/Atlas.

Q: Where are the public hearings located?

In compliance with CDC's Social Distancing Guidelines and keep our citizens safe, the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and the Board of County Commissioners (BCC) will conduct public hearings virtually until further notice. However, Orange County remains committed to providing alternative public comment platforms. All comments directed to the LPA/PZC may be submitted through feedback forms which are included with the case materials (shared folders are located at www.bit.ly/ocpublic), or by mailing or emailing the Case Planner listed on the front page of this notice. Comments directed to the BCC may be emailed to the Mayor and/or District Commissioners (mayor@ocfl.net, District1@ocfl.net; District2@ocfl.net; District3@ocfl.net; District4@ocfl.net; District5@ocfl.net; and District6@ocfl.net).

Q: What is the difference between Future Land Use and Zoning?

Future Land Use Map designations indicate the general use or "vision" for a property, and regulate the types of activity or development that may ultimately be allowed on it, including maximum allowable residential and non-residential development. Future Land Use Map designations are adopted as part of the County's Comprehensive Plan, with oversight by the State. Zoning districts are more descriptive planning classifications, but must be consistent with Future Land Use Map designations. Zoning categories regulate more specific development aspects, such as allowed uses, building sizes, setbacks, or parking.

Q: What type of activity or development could take place on the subject site today?

The County's adopted 2010-2030 Future Land Use Map depicts the subject site as **Low Density Residential (LDR)**, which allows for the consideration of single-family residential development at a maximum density of four (4) dwelling units per acre. The County's Official Zoning Map depicts the property as **R-1 (Single-Family Dwelling District)**, which provides for single-family residential uses.

Q: What type of activity could be considered if the Board of County Commissioners adopted the request?

The requested **Industrial (IND)** Future Land Use designation allows the processing of hazardous and non-hazardous materials ranging from light assembly and manufacturing to chemical processing.

The requested **I-2 / I-3 (Industrial District)** zoning district provides for industries that require locations near compatible neighbors, good transportation facilities and utilities.

A total of 7,840 sq. ft. of industrial uses could be developed on the 0.24 gross acre site. The applicant is proposing to use the site for truck parking.

Any party requesting additional information regarding the proposed amendment should contact the Orange County Planning Division: 201 S. Rosalind Ave., 2nd Floor, Orlando, FL, 32801, (407) 836-5600, or via email at planning@ocfl.net.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this proceeding should contact the Orange County Communications Division no later than two (2) business days prior to the proceeding, at 201 S. Rosalind Ave., 3rd Floor, Orlando, FL, (407) 836-6568.

Para más información, favor de comunicarse con la División de Planificación, al número (407) 836-5600.

Pou plis enfòmasyon, kontakté Dépatman Planifikasyon, nan nimewo (407) 836-5600.

From: [Varga, Vanessa](#)
To: [DeManche, Christopher M](#); [Golgowski, Gregory F](#)
Subject: RE: 2020-1 Small Scale Cycle Future Land Use Map Amendments Facilities Analysis Request
Date: Thursday, January 30, 2020 8:51:38 AM
Attachments: 2020-1 Small Scale Facilities Analysis.pdf
image002.png
image003.png

Good Morning,

Below are the code violation found:

For the Parcel ID# **15-23-28-9340-01-030** there is an **Incident# 519944 / CEB-2019-391723H - Open abandoned dilapidated dwelling with open unmaintained swimming pool.** The Officer handling the case is **Ken Nicholson.**

For the Parcel ID# **15-21-28-3280-00-420** there is an **Incident #: 532814 / CEB-2019-401204Z - Improper land use.** The Officer handling the case is **Melya Tavel.**

Please let me know if you have any questions.!

Thank you,

Vanessa Varga

Code Enforcement Specialist II

Orange County Code Enforcement Division
Planning, Environmental, and Development Services
2450 W. 33rd Street, 2nd Floor – Orlando, FL 32839

Web: ocfl.net/codeenforcement



From: DeManche, Christopher M <Christopher.DeManche@ocfl.net>
Sent: Tuesday, January 28, 2020 11:17 AM
To: Arthurs, Deborah <Deborah.Arthurs@ocfl.net>; Atkins, Belinda <Belinda.Atkins@ocfl.net>; Divine, Daniel <Daniel.Divine@ocfl.net>; Dubus, Anne <Anne.Dubus@ocfl.net>; Fasnacht, Kurt <Kurt.Fasnacht@ocfl.net>; Flynt, James <James.Flynt@ocfl.net>; Hepker, David A <David.Hepker@ocfl.net>; Lujan, Jacob G <Jacob.Lujan@ocfl.net>; Moffett, Cedric <Cedric.Moffett@ocfl.net>; Spivey, Robert <Robert.Spivey@ocfl.net>; Suedmeyer, Matt <Matt.Suedmeyer@ocfl.net>; Thomas Williams, Catina L <Catina.ThomasWilliams@ocfl.net>; Whitfield, Anoch P <Anoch.Whitfield@ocfl.net>; Brandice.Alexander@ocfl.net; Amy.Bradbury@ocfl.net; Robert.Goff@ocfl.net; Barrie.McMillen@ocfl.net; Rountree, Keenya <Keenya.Rountree@ocfl.net>; Nastasi, Renzo <Renzo.Nastasi@ocfl.net>

Subject: 2020-1 Small Scale Cycle Future Land Use Map Amendments Facilities Analysis Request

Importance: High

Good Afternoon,

The Planning Division is requesting a public facility and capacity report for the 2020-1 Small Scale Cycle Future Land Use Map Amendments.

To assist you in your review, I have provided a Summary Chart that lists the amendment data and information, a Development Yield Estimates Sheet that reflects the existing and proposed development scenarios accompanied by a Future Land Use/Location Map for the request. Any environmental or transportation analysis that the applicants provided are located in the following directory:

\\ocnas\county share\Planning\Section - Comp Planning\2020-1 Small Scale Cycle Facilities Analysis Request

Ultimately, we need you to determine whether there is adequate capacity to serve development resulting from the proposed land use change and to identify those facilities that would be impacted. When applicable, please identify the existing Level of Service (LOS) of the impacted facilities.

The first public hearing for this request will be on April 16, 2020 before the Local Planning Agency; therefore, we would appreciate receiving information and comments by Friday, February 7, 2020. Your comments will be incorporated into the materials that are shared with the commissioners, so we request that you provide this information in writing (electronic / hard copies) and on letterhead.

Should you have any questions or need additional information, please contact me at (407) 836-5619, or Greg Golgowski at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

Thank you in advance for your assistance.

Best Regards,

Christopher M. DeManche, MPA

Planner III

Orange County Planning Division

201 S. Rosalind Ave., 2nd Floor

Orlando, FL 32802-1393

Tel: 407.836.5619

Email: Christopher.DeManche@ocfl.net





Interoffice Memorandum

DATE: February 7, 2020

TO: Alberto Vargas, Manager
Planning Division

THROUGH: John Geiger, PE, Sr. Engineer
Environmental Protection Division

FROM: Sarah Bernier, REM, Sr. Environmental Specialist
Environmental Protection Division

SUBJECT: Facilities Analysis and Capacity Report Request for the
2020-1 Small Scale Comprehensive Plan Amendments

As requested, Environmental Protection Division staff reviewed the subject Comprehensive Plan Amendments. We understand that the first public hearing for these requests will be on April 16, 2020 before the Local Planning Agency. Attached is a summary chart with the environmental analysis results.

If you have any questions regarding the information provided, please contact Sarah Bernier at 407-836-1471 or John Geiger at 407-836-1504.

Attachment

SB/JG

cc:

Greg Golgowski, Chief Planner, Comprehensive Planning
Christopher DeManche, Planner, Comprehensive Planning
David Jones, Manager, Environmental Protection Division
Elizabeth Johnson, Assistant Manager, Environmental Protection Division
Tim Hull, Environmental Program Administrator, Environmental Protection Division

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

1) Amendment #2020-1-S-1-1

RZ-20-04-068 Wadina Office Project

FLU from Low Density Residential (LDR) to Office (O)

Rezoning from A-1 (Citrus Rural District) to P-O (Professional Office District)

Proposed Development: 1,150 sq. ft. office building

Owner: Paul Wadina

Agent: Alison M. Yurko, P.A.

Parcel: 28-22-28-6689-13-190

Address: 3750 Old Winter Garden Rd

District: 1

Area: 0.20 gross acres

EPD Comments:

This project site may be impacted by soil or groundwater contamination resulting from an incident at the Park Ridge Grocery store across Rowe Avenue. The contaminated area extends beyond the grocery store property boundary, and it is undergoing assessment and remediation. No activity will be permitted that may disturb, influence, or otherwise interfere with areas of soil/groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area. Such activities include, but are not limited to, the use of potable or irrigation wells and dewatering. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S. For more information contact the Florida Department of Environmental Protection (FDEP) at 407-897-4100 concerning facility ID 489046956.

2) Amendment #2020-1-S-1-2

CDR-20-01-003 Buena Vista Commons PD

FLU from Office (O) to Activity Center Mixed Use (ACMU)

Rezoning from/to PD (Planned Development)

Proposed Development: 219,542 sq. ft. of non-residential (max under ACMU); PD rezoning request is limited to 17,611 sq. ft. of commercial uses Building 1 & 2

Owner: Karam Duggal

Agent: Constance D Silver, PE, Tri3 Civil Engineering

Parcel: 15-24-28-1080-01-000 (portion)

Address: 11444 S. Apopka Vineland Rd

District: 1

Area: 1.68 acres

EPD Comments:

No comment at this time.

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

3) Amendment #2020-1-S-1-3

Luv n Care Animal Boutique

FLU from Rural Settlement (1du/ac) RS 1/1 to Office (O) Rural Settlement (RS)

Zoning: R-CE (Country Estate District)

Proposed Development: 5,828 sq. ft. of office use

Owner: Inderjit Singh, Kaur Jasbir

Agent: Joe Saunders

Parcel: 15-23-28-9340-01-030

Address: 8336 Conroy Windermere Rd

District: 1

Area: 0.89 acres

EPD Comments:

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

4) Amendment #2020-1-S-1-4

Sheen Villas

FLU from/to Planned Development (PD)

Rezoning from R-CE (Country Estate District) to PD (Planned Development District)

Proposed Development: Up to 10 du/ac

Owner: Sheen 121, LLC

Agent: Doug Kelly

Parcels: 05-24-28-5844-01-210

Address: 9905 Winter Garden Vineland Rd

District: 1

Area: 4.30 gross / 3.29 net developable acres

EPD Comments:

One Class III wetland of 1.01 acre is located on site. Orange County Conservation Area Determination CAD-19-10-153 was completed for this property on December 16, 2019, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas. This determination is binding for a period of 5 years.

The net developable area is 3.29 acres, defined as the gross acreage less the wetlands and surface waters acreage. Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR)

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County Environmental Protection Division (EPD) in addition to an approved Conservation Area Determination (CAD). Approval of this request does not authorize any direct or indirect conservation area impacts.

The Windermere Water and Navigation Control District has an established Municipal Service Taxing Unit (MSTU) for the purpose of funding lake management services. To the extent that this project is part of the taxing district, this project shall be required to be a participant.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment report dated January 17, 2017 reported that no listed species were observed on site, but recommended a formal gopher tortoise survey prior to development.

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

5) Amendment #2020-1-S-2-1

Smith Property

FLU from Low Density Residential (LDR) to Commercial (C)

Zoning: C-3 (Wholesale Commercial)

Proposed Development: 700-800 sq. ft. commercial modular office (contractor trailer), Permitted (1.5 FAR) 34,630 sq. ft. commercial building

Owner: David S. Smith

Agent:

Parcel: 15-21-28-3280-00-420

Address: 616 E 12th Street, Apopka

District: 2

Area: 0.53 acres

EPD Comments:

This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations may apply.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

6) Amendment #2020-1-S-2-2

RZ-20-04-072 Jolieview Place

FLU from Office (O) to Low-Medium Density Residential (LMDR)

Rezoning from P-O (Professional Office District) to R-2 (Residential District)

Proposed Development: Up to 5 duplex dwelling units

Owner: Jolieview, LLC

Agent: Junias Desamour

Parcels: 11-21-28-0000-00-058

Address: 310 S. Lake Pleasant Rd.

District: 2

Area: 0.50 gross acres

EPD Comments:

This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

7) Amendment #2020-1-S-2-3

LUP-19-12-418 Kings Landing

FLU from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Rezoning from A-1 (Citrus Rural District) to PD (Planned Development District)

Proposed Development: Up to 70 townhome units, Permitted up to 10 du/ac (89 maximum)

Owner: Kings Landing

Agent: Kingdom Church Inc., Pastor David Jacques

Parcels: 01-22-28-0000-00-009

Address: N Powers Dr.

District: 2

Area: 8.97 acres

EPD Comments:

This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

This project site may have a prior agricultural land use that resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection and Development Engineering Divisions. If an Environmental Site Assessment (ESA) has been completed for this site, please submit a copy with this application.

8) Amendment #2020-1-S-3-1 (fka 2019-2-S-3-5)

RZ-19-10-048 Celenza Property

FLU from Low-Medium Density Residential (LMDR) to Commercial (C)

Rezoning from A-2 (Farmland Rural District) to C-2 (General Commercial District)

Proposed Development: Up to 271,161 sq. ft. of commercial development

Owner: Louis Celenza

Agent: Louis Celenza

Parcels: 14-23-30-5240-07-071/073/074

Address: 6425, 6419 and 6445 Hoffner Ave.

District: 3

Area: 4.15 gross acres

EPD Comments:

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2020-1 Small Scale Comprehensive Plan Amendments

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

9) Amendment #2020-1-S-3-2

CDR-20-02-032 Valencia College Lane PD

FLU from Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR)

Rezoning from/to PD (Planned Development District)

Proposed Development: Up to 252 multi-family dwelling units

Owner: AC Five LLC

Agent: Jon C. Wood

Parcels: 24-22-30-0000-00-005

Address: 8751 Valencia College Lane

District: 3

Area: 7.83 gross

EPD Comments: New CAD in progress

Two Class III wetlands and a Class I canal hydrologically connected to the Little Econlockhatchee River are located on site. Conservation Area Determination application CAD-19-11-192 was submitted for this project and it is in progress. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas, prior to approval of this amendment application. CAD 00-108 was previously completed for this site.

Until wetland permitting is complete, the net developable area is uncertain, estimated at less than 6 acres. The net developable area is the gross area less the wetlands and surface waters area. The buildable area is the net developable area less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County EPD in addition to an approved Conservation Area Determination (CAD). Approval of

Orange County Environmental Protection Division
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this request does not authorize any direct or indirect conservation area impacts.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated November 8, 2019 reported that no listed species were observed on site.

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

10) Amendment #2020-1-S-3-3 (fka 2019-1-S-3-2) WITHDRAWN

Carse Property

FLU from Commercial (C) and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR)

Proposed Development: Up to 15,000 sq. ft. commercial and up to 37 multi-family townhomes (based on survey submitted in previous cycle, property is allowed a maximum of 34 units)

Owner: Carse Limited Partnership

Agent: Rebecca Wilson

Parcels: 06-23-30-1432-02-010/030/041

Address: 1700 S. Bumby Ave. and Henderson Dr.

District: 3

Area: 1.74 gross acres

EPD Comments:

The Carse Oil / Citgo Food Mart at 1700 S Bumby Ave is a location of ongoing petroleum contamination remediation. No activity will be permitted on the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division (EPD) of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S. For more information contact the FDEP concerning Facility No. 48-8628047.

Orange County Environmental Protection Division
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11) Amendment #2020-1-S-3-4

RZ-20-04-074 Palumbo & Bertrand

FLU from Low-Medium Density Residential (LMDR) to Office (O)

Rezoning from R-3 (Multiple Family Dwelling District) to P-O (Professional Office District)

Proposed Development: 1,900 sq. ft. office uses

Owner: Palumbo & Bertrand, PA

Agent: Elizabeth Bertrand, Palumbo & Bertrand, P.A.

Parcel: 06-23-30-1420-02-011

Address: 2500 S. Bumby Ave at E Crystal Lake Ave

District: 3

Area: 0.17 gross acres

EPD Comments:

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

12) Amendment #2020-1-S-4-1

LUP-20-01-001 The Gardens at Waterford Lakes

FLU from Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)

Rezoning from R-2 (Residential District) to PD (Planned Development District)

Proposed Development: Up to 63 dwelling units

Owner: DC Investments Orlando, Inc.

Agent: Carlos A Rivero

Parcels: 26-22-31-0000-00-014

Address: 707 Woodbury Rd.

District: 4

Area: 1.80 acres

EPD Comments:

Orange County Conservation Area Determination CAD-19-09-135 and impact permit CAI-19-11-065 were completed to delineate and remove the Class III wetland of 0.4 acre on site. This request shall comply with all related permit conditions of approval.

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply per Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective

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buffers, wildlife habitat, stormwater, and landscaping with native plant species.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

13) Amendment #2020-1-S-5-1

RZ-20-04-063 Rouse Road #3210 Retail

FLU from Medium Density Residential (MDR) to Commercial (C)

Rezoning from R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District)

Proposed Development: Up to 15,000 sq. ft. of commercial development

Owner: Olton Properties

Agent: StoryBook Holdngs, LLC, Jose Chaves, P.E.

Parcels: 09-22-31-0000-00-004

Address: 3210 Rouse Road

District: 5

Area: 5.61 gross / 3.98 net developable acres

EPD Comments: CAD in Progress

Wetlands connected to the Little Econlockhatchee River are located on site. Conservation Area Determination application CAD-19-11-171 was submitted for this project and it is in progress. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas, prior to approval of this amendment application.

Until wetland permitting is complete, the net developable acreage is uncertain, estimated at less than 4 acres. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County EPD in addition to an approved Conservation Area Determination (CAD). Approval of

Orange County Environmental Protection Division
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this request does not authorize any direct or indirect conservation area impacts.

This project site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply per Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater management, and landscaping with native plant species. Within the Econ protection area, wetlands designated as Class I or II require a 50 foot wide average upland buffer, and impacts require approval from the Orange County Board of County Commissioners.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

14) Amendment #2020-1-S-5-2

Colonial Student Housing

FLU from Commercial (C) and Low-Medium Density Residential (LMDR) to Planned Development-High Density Residential (PD-HDR) (Student Housing)
Rezoning from C-1 (Retail Commercial District) and R-2 (Residential District) to PD (Planned Development District)

Proposed Development: Student housing complex with up to 680 bedrooms in 210 apartments

Owner: KMP Properties LLC, East Colonial Investments, LLC, and Cordner IV LLC

Agent: Dustin Aukland/Toll Brothers Apartment Living

Parcels: 23-22-31-0000-00-004/010/074

Address: 12727 E. Colonial Dr.

District: 5

Area: 8.17 gross acres

EPD Comments: CAD in Progress

Class I wetlands that extend offsite are located onsite. Conservation Area Determination application CAD-19-12-203 was submitted for this project and it is in progress. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas, prior to approval of this amendment application.

Until wetland permitting is complete, the net developable area is uncertain, estimated at less than 2 acres. The net developable area is the gross acreage less the wetlands and surface waters area. The buildable area is the net developable area less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon

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development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County EPD in addition to an approved Conservation Area Determination (CAD). Approval of this request does not authorize any direct or indirect conservation area impacts.

This project site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply per Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater management, and landscaping with native plant species. Within the Econ protection area, wetlands designated as Class I or II require a 50 foot wide average upland buffer, and impacts require approval from the Orange County Board of County Commissioners.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

15) Amendment #2020-1-S-6-2

RZ-20-04-067 Rio Grande Homes

FLU from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Rezoning from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)

Proposed Development: 2 single-family homes

Owner: Adriana I. Hincapie

Agent: Rafael Santiago Casallas

Parcel: 10-23-29-6152-04-110

Address: 4301 S. Rio Grande Ave

District: 6

Area: 0.30 gross acre

EPD Comments:

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article

Orange County Environmental Protection Division
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2020-1 Small Scale Comprehensive Plan Amendments

XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

16) Amendment #2020-1-S-6-3

Waste Pro Southeast

FLU from Neighborhood Residential (NR) to Commercial (C)

Zoning C-3 (Wholesale Commercial)

Proposed Development: Compressed Natural Gas (CNG) Station, truck parking, offices;
Permitted (1.5 FAR) 126,759 sq. ft. commercial development

Owner: Waste Pro Southeast

Agent: Harland Chadbourne

Parcels: 34-22-29-6316-00-252 (portion)

Address: 1400 S Orange Blossom Trail

District: 6

Area: 1.94 acres

EPD Comments:

The project site is located within the Holden Heights ROCC (Redeveloping Orange County Communities) per Orange County Board of County Commissioners resolution #2007-M-31 approved on 8/28/2007, designating certain land as a Brownfield Area for the purpose of environmental remediation, rehabilitation and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

Vehicle refueling stations and associated storage are exempt from air quality management permitting requirements per Rule 62-210.300(3)(a)19., F.A.C., as long as they remain below the Title V major source thresholds.

Pressurized vessels are not regulated under storage tanks rules other than registration.

The facility does not require a solid waste management facility permit under Orange County Code Chapter 32 Article V as long as it is not the intent of this application to allow the operation of a solid waste management facility, including but not limited to a transfer station.

17) Amendment #2020-1-S-6-4

Burroughs Drive Retail

FLU from Medium Density Residential (MDR) to Commercial (C)

Zoning: C-1 (Retail Commercial District)

Proposed Development: Up to 14,000 sq. ft. of C-1 retail uses

Owner: Virtus North America, LLC

Agent: Andrea Cardo, Interplan, LLC

Parcels 13-22-28-0000-00-044

Address: Burroughs Dr, west of Environs Blvd, east of N. Hiawassee Rd, north of Silver Star Rd

District: 6

Area: 1.42 gross acres

Orange County Environmental Protection Division
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2020-1 Small Scale Comprehensive Plan Amendments

EPD Comments:

This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

The project site is located within the Pine Hills ROCC (Redeveloping Orange County Communities) per Orange County Board of County Commissioners resolution #2013-M-14 approved on 4/23/2013, designating certain land as a Brownfield Area for the purpose of environmental remediation, rehabilitation and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

18) Amendment #2020-1-S-6-5

RZ-20-04-075 Truck Parking

FLU from Low Density Residential (LDR) to Industrial (IND)

Rezoning from R-1 (Single-Family Dwelling District) to I-2/I-3 (Industrial District)

Proposed Development: Truck parking, Permitted: (.75 FAR) 7,514 sq. ft. commercial/industrial

Owner: Debicai Lachman

Agent: Debicai Lachman

Parcels: 30-22-29-6244-03-050/070

Address: 318 & 324 Metcalf Ave

District: 6

Area: 0.23 acre

Orange County Environmental Protection Division
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EPD Comments:

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.



ORANGE COUNTY FIRE RESCUE DEPARTMENT
Jacob Lujan, Planning and Technical Services Division

6590 Amory Court
 Winter Park, FL 32792
 (407) 836-9893 Fax (407) 836-9106
 Jacob.Lujan@ocfl.net

Date: February 7, 2020

To: Christopher DeManche, Planner III
 Orange County Planning Division

From: Jacob Lujan, Compliance and Planning Administrator
 Planning & Technical Services—Orange County Fire Rescue Department

Subject: Facilities Analysis 2020-1 Small Scale Cycle Amendments
 Fire Rescue Comments

Amendment #	Fire Station First Due	Distance from Fire Station	Est. Emergency Travel Time	Current Density	Travel Time Benchmark
2020-1-S-1-1 (Wadina Office Project)	33	3.1 miles	8 min	Urban Low	7 min
2020-1-S-1-2 (Buena Vista Commons)	36	2.0 miles	6 min	Urban Low	7 min
2020-1-S-1-3 (Luv n Care)	33	2.6 miles	6 min	Urban Low	7 min
2020-1-S-1-4 (Sheen Villas)	36	3.1 miles	4 min	Urban Low	7 min
2020-1-S-1-5	32	3.7 miles	8 min	Rural High	9 min
2020-1-S-2-1 (Smith Property)	27	4.2 miles	10 min	Urban Low	7 min
2020-1-S-2-2 (Jolieview Place)	27	2.0 miles	4 min	Urban High	5 min
2020-1-S-2-3 (Kings Landing)	40	2.4 miles	5 min	Urban High	5 min
2020-1-S-3-1 (fka 2019-2-S-3-5) Celenza Property	71	0.8 miles	2 min	Urban Low	7 min
2020-1-S-3-2 (Valencia College Lane)	63	3.1 miles	6 min	Urban High	5 min
2020-1-S-3-4 (2500 S. Bumby Ave.)	72	2.6 miles	6 min	Urban High	5 min
2020-1-S-4-1 (The Gardens at Waterford Lakes)	83	1.3 miles	4 min	Urban High	5 min
2020-1-S-5-1 (3210 Rouse Road Retail)	67	0.6 miles	1 min	Urban Low	7 min

2020-1-S-5-2 (Colonial Student Housing)	80	0.6 miles	1 min	Urban Low	7 min
2020-1-S-6-2 (430 S Rio Grande Ave)	50	1.0 miles	3 min	Urban High	5 min
2020-1-S-6-3 (Waste Pro)	50	1.2 miles	3 min	Urban Low	7 min
2020-1-S-6-4 (Burroughs Drive)	42	1.3 miles	3 min	Urban High	5 min
2020-1-S-6-5 (Truck Parking)	30	1.0 miles	3 min	Urban Low	7 min

Four of the proposed amendments present response challenges for the Orange County Fire Rescue Department (OCFRD). The most significant of these is the Smith Property, with an estimated travel time of ten minutes. Because this property is within a county enclave surrounded by the City of Apopka, the possibility of a new OCFRD fire station in the area is extremely low.

Although the Wadina Office Project exceeds the time travel benchmark for the closest Orange County fire station, it lies in an area where OCFRD has currently established an automatic aid relationship with the Ocoee Fire Department. This agreement is subject to change at any time, and currently includes a fire engine response but not an ambulance (which would still be provided by OCFRD). The estimated travel time from the nearest Ocoee fire station is five minutes.

OCFRD currently has no plans for new stations that would provide improved service delivery to the Valencia College Lane or S. Bumby Avenue sites.

Also of note is Amendment 2020-1-S-1-5. Depending upon the scale of this development, it could potentially increase the density for that area to Urban Low, in which case the estimated travel time would exceed the benchmark. This would be mitigated, however, by the planned relocation of Station 32.

c: Anthony Rios, Division Chief



PARKS AND RECREATION DIVISION
MATT SUEDMEYER, MANAGER
4801 W Colonial Drive, Orlando, FL 32808
407-836.6200 • FAX 407-836.6210 • <http://www.orangecountyparks.net>

February 18, 2020

TO: Alberto Vargas, Manager, Planning

FROM: Cedric M. Moffett, Principal Planner, Parks and Recreation

SUBJECT: Facilities Analysis and Capacity Report
2020-1 Small Scale Cycle Comprehensive Policy Plan Amendments

The Parks and Recreation Division have reviewed the 2020-1 Small Scale Cycle Comprehensive Policy Plan Amendments. Based on the information provided the development impacts do not exceed our countywide available parkland capacity (see attached chart), however, the projects still need to meet applicable development requirements for parks and recreation. As per usual we only analyzed the impact of the residential amendments.

The Future Land Use Amendment maps have been compared to our existing and proposed park and trail facilities and there are no direct impacts.

CM:cm

c: Matt Suedmeyer, Manager, Parks and Recreation
Regina Ramos, Project Manager, Parks and Recreation
File: Comp Plan Amendments

Facilities Analysis and Capacity Report
2020-1 Small Scale Cycle Comprehensive Policy Plan Amendments
(Amendments with Parks Level-of-Service Impacts)

Amendment Number	Proposed Future Land Use	Residential Dwelling Units	Population (2.56/unit)	Active Recreation Acreage Impact (1.5 ac/1,000 pop)	Resource Recreation Acreage Impact (6.0 ac/1,000 pop)
2020-1-S-1-4(Sheen Villas)	Planned Development (PD)	40	102.4	0.154	0.614
2020-1-S-2-2(Jolieview Place)	Low-Medium Density Residential (LMDR)	5	12.8	0.019	0.077
2020-1-S-2-3(Kings Landing)	Low-Medium Density Residential (LMDR)	70	179.2	0.269	1.075
2020-1-S-3-2(Valencia College Lane)	Planned Development-Medium-High Density Residential (PD-MHDR)	252	645.12	0.968	3.870
2020-1-S-4-1(The Gardens at Waterford Lakes)	Medium Density Residential (MDR)	63	161.28	0.242	0.968
2020-1-S-5-2(Colonial Student Housing)	Planned Development-High Density Residential (PD-HDR) (Student Housing)	680	680	1.020	4.080
2020-1-S-6-2(430 S Rio Grande Ave)	Low-Medium Density Residential (LMDR)	2	5.12	0.008	0.012
Total Acreage Impact				2.680	10.696
Available Capacity (as of July 2019)				377.440	7584.570



Sheriff John W. Mina

ORANGE COUNTY SHERIFF'S OFFICE

INTEROFFICE MEMORANDUM

February 7, 2020

TO: Christopher M. DeManche
Orange County Planning Division

FROM: Daniel Divine, Manager
Research & Development

A handwritten signature in blue ink, appearing to be "DD", written over the name "Daniel Divine" in the FROM field.

SUBJECT: 2020-1 Small Scale Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2020-1 Small Scale Comprehensive Policy Plan Amendments (CPPA). Based on the proposed development scenarios, the Sheriff's Office staffing needs are 1.94 deputies and 0.88 support personnel to provide the standard level of service (LOS) to these developments. The development scenarios for existing did not generate the need for additional personnel.

Comprehensive Policy Plan Amendment #2020-1-S-2-1 is a proposed commercial modular office, **#2020-1-S-2-2** and **#2020-1-S-2-3** are proposed multifamily developments. These developments are located in Sheriff's Office Patrol **Sector One**. Sector One is located in the northwestern portion of Orange County and is approximately 116.588 square miles. In 2019 the Sheriff's Office had 1,307,923 calls for service and 148,313 of these calls were in Sector One. In 2019 the average response times to these calls were 00:16:54 minutes for Code 1 [non emergency service calls]; 00:30:51 minutes Code 2 [non life threatening emergency calls]; and 00:06:42 minutes Code 3 [life-threatening emergency calls].

Comprehensive Policy Plan Amendments #2020-1-S-3-2 is a proposed multi-family use development, **#2020-1-S-4-1** and **#2020-1-S-5-1** are proposed commercial use developments and **#2020-1-S-5-2** is a proposed student housing and apartment use development. These developments are in Sheriff's Office Patrol **Sector Two**. Sector Two is located in the eastern portion of Orange County and is approximately 400.285 square miles, our largest sector geographically. In 2019 Sector Two had 270,141 calls for service. In 2019 the average response times to these calls were 00:18:01 minutes Code 1; 00:30:15 minutes Code 2; and 00:06:30 minutes Code 3.

Comprehensive Policy Plan Amendments #2020-1-S-1-1 and **#2020-1-S-1-3** are proposed office use developments and **#2020-1-S-6-4** is a proposed commercial use development located in **Sector Three**. Sector Three is situated in the Middle Western portion of Orange County and is approximately 82.745 square miles. In 2019 Sector Three had 176,334 calls for service. In 2019 the average response times to these calls were 00:17:56 minutes for Code 1; 00:30:29 minutes for Code 2; and 00:06:31 minutes for Code 3.

Christopher M. Demanche

February 7, 2020

Page 2 of 2

Comprehensive Policy Plan Amendment #2020-1-S-3-4 is a proposed office use development and **#2020-1-S-6-2** is a proposed single family use development. These developments are located in **Sector Four**. Sector Four is centrally located and is approximately 70.534 square miles. In 2019 Sector Four had 255,630 calls for service. In 2019 the average response times to these calls were 00:22:04 minutes for Code 1; 00:36:27 minutes Code 2; and 00:06:20 for minutes Code 3.

Comprehensive Policy Plan Amendment #2020-1-S-1-2 is a proposed commercial use development located in **Sector Five**. In 2019 Sector Five had 125,389 calls for service. In 2019 the average response times to these calls were 00:11:07 minutes for Code 1; 00:11:10 minutes Code 2; and 00:04:18 minutes Code 3.

Comprehensive Policy Plan amendment #2020-1-S-1-4 has 10 proposed dwellings units located in **Sector Six**. Sector Six is located in the Southern portion of Orange County and is approximately 31.472 square miles. The Cities of Bay Lake and Lake Buena Vista are within this sector. In 2019 Sector Six had 136761 calls for service. In 2019 the average response times to these calls were 00:12:22 minutes for Code 1; 00:15:24 minutes Code 2; and 00:06:37 minutes Code 3.

The Orange County Sheriff's Office measures service requirements based on the number of calls for service generated and the number of staff needed to respond to those calls. All development generates impact, but at varying levels. In the 2018 update to the Law Enforcement Impact Fee Ordinance, the Sheriff's Office Level of Service was 282 calls for service per sworn officer per year. Support personnel are calculated by applying 45.4% to the sworn officer requirement. The 'formula' is *land use x unit of development x calls per unit divided by 282 = number of deputies required for that development. The 'formula' for the number of support personnel required is the number of deputies * 45.4 percent.* These calculations are obtained from Orange County's Law Enforcement Impact Fee Study and Ordinance.

Impact fees address capital cost only. All other costs must be requested from the Board of County Commissioners including salaries and benefits.

As stated before, all new development creates new calls for service, which in turn creates a need for new additional manpower and equipment. If calls for service increase without a comparable increase in manpower our response times are likely to increase.

If you wish to discuss this information, please contact me or Belinda Atkins at 407 254-7470.

DPD/bga

Attachments

cc: Undersheriff Mark J. Canty, Chief Deputy Nancy Brown, Chief Deputy Larry G. Zwieg, Major Angelo L. Nieves, Major Rick Meli, Captain Mariluz Santana, CALEA 15.1.3

AMENDMENT 2020-1-S-1-1 (Wadina Office Project)

PROJECT SPECIFICS

Parcel ID:	28-22-28-6689-13-190
Location:	3750 Old Winter Garden Road; South of Old Winter Garden Rd., West of Rowe Ave., north of Market St., and east of Division Ave.
Acreage:	0.20 (gross)
Request FLUM:	From: Low Density Residential (LDR) To: Office (O)
Request Zoning:	From: A-1 (Citrus Rural District) To: P-O (Professional Office District)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	1 single-family residence
Proposed Density/Intensity:	8,712 sq. ft. office building (1.0 FAR)

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Allowed Use under current FLUM: 1 SF DU	1	100%	1
Existing Use: Undeveloped			
Proposed Use: 8,712 sq. ft. office building	11	92%	10
Net New Trips (Proposed Development less Allowable Development): 10-1=9			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 0.20 acres from LDR to Office and requests approval to develop an 8,712 sq. ft. office building.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways. However, project trips are well below the 3% significance level on all segments.

However, based on the Concurrency Management System Database, not all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 1 pm peak hour trip.
- The proposed use will generate 10 pm peak hour trips resulting in a net increase of 9 pm peak hour trips.
- The subject property is located adjacent to Old Winter Garden Road, a 4-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated 03-03-2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area currently do operate at acceptable levels of service. This information is dated and is subject to change.
- Background traffic was developed based on the annual growth rates based on historical AADT within the project’s impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) conditions indicate that all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development, with the exception

of Florida's Turnpike from East-West Expwy to Lake County Line, which will fail due to background traffic.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

AMENDMENT 2020-1-S-1-2 (Buena Vista Commons)

PROJECT SPECIFICS

Parcel ID:	15-24-28-1080-01-000
Location:	11444 S. Apopka Vineland Rd: Generally located south of Daryl Carter Parkway and north of Palm Parkway on S. Apopka Vineland Rd
Acreage:	1.68 acres (Comp Plan Amendment); 8.52 (PD)
Request FLUM:	From: Office (O) To: Activity Center Mixed Use (ACMU)
Request Zoning:	From: Planned Development To: Planned Development
Existing Development:	professional offices
Development Permitted Under Current FLUM:	91,476 sq. ft. of office uses
Proposed Density/Intensity:	219,542 sq. ft. of non-residential (max under ACMU); PD rezoning request is limited to 17,611 sq. ft. of commercial uses Building 1 & 2

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowance: 17,611 SF Professional offices (per consultant study)	22	92%	20
Existing Use: professional offices			
Proposed Use: 219,542 sq. ft. of non-residential; PD rezoning request is limited to 17,611 sq. ft. of commercial uses Building 1 & 2	150	56%	84
Net New Trips (Proposed Development less Allowable Development): 84-20=64			

Future Roadway Network

Road Agreements: None
Planned and Programmed Roadway Improvements: None
Right of Way Requirements: None

Summary

The applicant is requesting to change 1.68 acres from Office to ACMU and requests approval to develop up to 219,542 sq. ft. of non-residential (maximum for ACMU). The PD rezoning request is limited to 17,611 sq. ft. of commercial uses for the existing Building 1 & 2.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

Based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service, however due to committed trips, capacity is not available to be encumbered.

- The subject property is not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 20 pm peak hour trips.
- The proposed use will generate 84 pm peak hour trips resulting in a net increase of 64 pm peak hour trips.
- The subject property is located adjacent to Apopka-Vineland Road, a 4-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated 03-16-2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area do operate at acceptable levels of service. This information is dated and is subject to change.
- Background traffic was developed based on the annual growth rates based on historical AADTs within the project’s impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.

- Analysis of short term (5 year) conditions indicate that not all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development. The following are expected to fail as a result of background traffic growth:
 1. Winter Garden-Vineland Rd from I-4 to Apopka-Vineland Rd and from Apopka-Vineland Rd to Buena Vista Dr.

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

AMENDMENT 2020-1-S-2-2 (Jolieview)

PROJECT SPECIFICS

Parcel ID:	11-21-28-0000-00-058
Location:	310 S. Lake Pleasant Rd.; Generally located on the west side of S. Lake Pleasant Rd., north of E. Semoran Blvd., south of Wekiva Crossing Blvd., and east of Semoran Commerce Pl.
Acreage:	0.50
Request FLUM:	From: Office (O) To: Low-Medium Density Residential (LMDR)
Request Zoning:	From: P-O (Professional Office District) To: R-2 (Residential District)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 20,418 sq. ft. of office uses
Proposed Density/Intensity:	Proposed: Up to 5 duplex dwelling units Permitted: Up to 3 duplex units

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing FLUM Allowance: 20.4 KSF Office	25	92%	23
Existing Use: Undeveloped			
Proposed Use: Up to 5 duplex dwelling units (Assumed 10 MF DU)	8	100%	8
Net New Trips (Proposed Development less Allowable Development): 8-23=-15			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 0.50 acres from Office to LMDR and requests approval to develop an up to 5 duplex units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways.

However, based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 23 pm peak hour trips.
- The proposed use will generate 8 pm peak hour trips resulting in a net decrease of 15 pm peak hour trips.
- The subject property is located adjacent to Semoran Blvd, an 8-lane Urban Class I road. Based on the Concurrency Management System (CMS) database dated 03-03-2020, this roadway currently operates at Level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area do operate acceptable levels of service. This information is dated and is subject to change.
- Background traffic was developed based on the annual growth rates based on historical AADT within the project’s impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) conditions indicate that all roadway segments within the project impact area will

continue to operate at acceptable levels of service with and without the proposed development.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

AMENDMENT 2020-1-S-2-3 (Kings Landing PD)

PROJECT SPECIFICS

Parcel ID:	01-22-28-0000-00-009
Location:	N Powers Drive
Acreage:	8.97
Request FLUM:	From: Low Density Residential (LDR) To: Low-Medium Density Residential (LMDR)
Request Zoning:	From: A-1 To: PD (Planned Development District)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 4 du/ac
Proposed Density/Intensity:	Up to 10 du/ac (41 SF DU proposed)

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Development Permitted Under Current FLUM: Up to 4 du/ac (16 SF DU)	17	100%	17
Existing Use: Undeveloped			
Proposed Use: Up to 10 du/ac (41 SF DU)	43	100%	43
Net New Trips (Proposed Development less Allowable Development): 43-17=26			

Future Roadway Network

Road Agreements: None
Planned and Programmed Roadway Improvements: None
Right of Way Requirements: None

Summary

Note: This is in the AMA, however a study was submitted including a segment capacity analysis which is also summarized below.

The applicant is requesting to change 4.22 acres from PD to PD and requests approval to develop up to 10 dwelling units an acre.

Analysis of the project trips from the currently approved future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

However, based on the Concurrency Management System Database, all roadways within the project impact area operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property is located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 17 pm peak hour trips.
- The proposed use will generate 43 pm peak hour trips resulting in a net increase of 26 pm peak hour trips.
- The subject property is located adjacent to Winter-Garden Vineland Road, a 4-lane Horizons West Class 1 road. Based on the Concurrency Management System (CMS) database dated 11-20-2020, this roadway currently operates at Level of Service E and capacity is not available to be encumbered due to committed trips. This information is dated and is subject to change.
- Background traffic was developed based on the 6% annual growth rate based on historical AADT within the project’s impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5-year) conditions indicate that Winter-Garden Vineland Rd. is projected to fail due to committed trips, with or without the addition of the proposed project trips.

- Analysis of long term (10 year) conditions indicate that Winter-Garden Vineland Rd. is projected to fail due to committed trips, with or without the addition of the proposed project trips.
- A survey of existing sidewalks and pedestrian facilities was conducted using aerial photography in addition to a field visit within a quarter-mile radius of the site. Power Dr. is improved with county maintained sidewalks on both sides of the road and crosswalks at major intersections. On the south side of Clarcona-Ocoee Rd. there are county maintained sidewalks and on the north side is an 8-foot wide concrete paved trail. Residential communities are also intermittently improved with sidewalks. A signalized pedestrian crossing is provided at the intersection of Clarcona-Ocoee Rd. and Powers Dr. to the north of the site. A mid-block pedestrian crossing is provided on Powers Drive at Fox Briar Tr., to the south.
- There are no dedicated bicycle lanes or paths in the vicinity of the site other than the trail on the north side of Clarcona-Ocoee Rd.
- The area is served by Lynx 443 Winter Park/Pine Hills, running on Powers Drive and Clarcona-Ocoee Rd. There exist four (4) bus stops along Powers Drive, all of which are simple pole stops without any amenities.
- It should be noted that the northbound bus stop at Fox Briar Trail appears to be in disrepair and is missing the Lynx sign designating it as a stop.

AMENDMENT 2020-1-S-3-2 (Valencia College Lane)

PROJECT SPECIFICS

Parcel ID:	24-22-30-0000-00-005
Location:	8751 Valencia College Lane; generally located north of Valencia College Lane, west of State Road 417 and east of John Wesley Way
Acreage:	7.83 gross/7.2 net ac.
Request FLUM:	From: Planned Development-Commercial (PD-C) To: Planned Development-Medium-High Density Residential (PD-MHDR)
Request Zoning:	From: PD (Planned Development District) (Valencia College Lane PD/LUP) To: PD (Planned Development District (Valencia College Lane PD/LUP)
Existing Development:	Undeveloped land
Development Permitted Under Current FLUM:	Up to 75,000 square feet of C-1 uses, with restrictions
Proposed Density/Intensity:	Up to 252 multi-family dwelling units

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowable Use: 512 KSF of Commercial (per the traffic study)	1606	-	1606
Existing Use: Undeveloped land			
Proposed Use: 274 multi-family dwelling units (per the traffic study)	121	100%	121
Net New Trips (Proposed Development less Allowable Development): 1606-121= (-1525)			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	Valencia College Lane, from SR 417 to Goldenrod Rd., is on the 10-year Long-term Transportation Program. Design is slated for 2025 and construction is anticipated to be completed by 2028
Right of Way Requirements:	None

Summary

The applicant is requesting to change 7.2 acres from PD-C to PD-MHDR and request approval to develop up to 274 multi-family dwelling units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed 252 multi-family dwelling units will result in net decrease in the number of pm peak trips and therefore, there is no impact to the study area roadways.

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 1606 pm peak hour trip.
- The proposed use will generate 121 new pm peak hour trips resulting in net decrease of 1525 pm peak hour trips.
- The subject property is located adjacent to Valencia College Ln, a 4-lane road.
- The following is a list of alternative modes within the project area: There are existing County maintained sidewalks for the entire length of Valencia College Drive within the one-quarter mile study radius and continues both east and west outside the study radius. Sidewalk also exists on both sides of William C. Coleman Drive. There are accessible crosswalks serving east/west pedestrians along the roadway, but no north/south crossings within one-half mile to the site at this time. The nearest existing trail is the Little Econ Greenway Trail, which is approximately 1.3 miles north of the site. The Azalea Park Trail is proposed to be approximately 1 mile west of the proposed site. LYNX bus link 15 services the area. This LYNX route provides connections to destinations including LYNX Central Station, AdventHealth East Orlando, and Valencia College East. There are 2 bus stops (0 sheltered) within the project area. Several more stops (benches) and one shelter exist along Valencia College Ln outside of the quarter mile study radius.
- There are dedicated bicycle lanes within the project impact area along Valencia College Ln and William C. Coleman Dr. on both sides of the road.

- Final permitting of any development on this site will be subject to further review and approval by Transportation Planning.

AMENDMENT 2020-1-S-4-1 (2500 S. Bumby Ave.)

PROJECT SPECIFICS

Parcel ID:	06-23-30-1420-02-011
Location:	2500 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.
Acreage:	0.17 gross
Request FLUM:	From: Low-Medium Density Residential (LMDR) To: Office (O)
Request Zoning:	From: R-3 (Multiple-Family Dwelling District) To: P-O (Professional Office District)
Existing Development:	1 Single-family residence
Development Permitted Under Current FLUM:	1 Single-family residence
Proposed Density/Intensity:	1,900 sq. ft. office building

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Use/Existing Allowable Development: 1 Single-family residence	1	100%	1
Proposed Use: 1,900 sq. ft. office building	3	92%	3
Net New Trips (Proposed Development less Allowable Development): 3-1=2			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 0.17 acres from LMDR to Office and requests approval to develop a 1,900 sq. ft. office building.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed office building will result in an increase of 2 pm peak trips and therefore has an insignificant impact on the study area roadways.

However, based on the Concurrency Management System Database, all roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered. Note:

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 1 pm peak hour trip.
- The proposed use will generate 3 new pm peak hour trips resulting in net increase of 2 pm peak hour trips.
- The subject property is located adjacent to S Bumby Avenue, a 2-lane Urban Class II road. This facility currently does not have any deficient roadway segments within the project’s impact area.
- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along S Bumby Ave. (both sides S of E Crystal Lake Ave. and N of E Grant Ave.), E Grant Ave. (E of S Bumby Ave.) and E Michigan St. (E of S Bumby Ave.), Clark St., and Fielding Ct. There are existing city maintained sidewalks along E Michigan St. (W of S Bumby Ave.). There exist marked crosswalks at the intersection of E Michigan St and S Bumby Ave to the South, and E Grant Ave and S Bumby Ave to the North. The intersections along S Bumby Ave between E Michigan St and E Grant Ave do not have any marked crosswalks. LYNX bus link 3 Lake Margaret services the area. There are (8) bus stops (1 sheltered) within the project area.
- There are not any bicycle routes/lanes within the project impact area.

AMENDMENT 2020-1-S-4-1 (The Gardens at Waterford Lakes)

PROJECT SPECIFICS

Parcel ID:	26-22-31-0000-00-014
Location:	707 Woodbury Road; Generally located south of Lake Underhill Road, east of Woodbury Road, north of Woodbury Pines Circle, and east of Lexingdale Drive
Acreage:	1.8 (gross)
Request FLUM:	From: Low-Medium Density Residential (LMDR) To: Medium Density Residential (MDR)
Request Zoning:	From: R-2 (Residential District) To: PD (Planned Development)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 18 dwelling units
Proposed Density/Intensity:	Up to 63 dwelling units

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing FLUM Allowance: 18 MF DU	13	100%	13
Existing Use: Undeveloped			
Proposed Use: Up to 63 Senior Attached dwelling units	17	100%	17
Net New Trips (Proposed Development less Allowable Development): 17-13=4			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: Woodbury Road RCA. The widening of Woodbury Road to a four-lane divided roadway from Lake Underhill Road to State Road (SR) 50. The study will also evaluate improvements to the intersection of Waterford Lakes Parkway and Woodbury Road. The RCA study is anticipated to begin May 2020 and to be completed by the end of July 2021. Construction is anticipated to begin 2026 and be completed by 2028.

Right of Way Requirements: Yes, Right-of-way needed for Woodbury Road and Lake Underhill Road intersection improvements.

Summary

The applicant is requesting to change 1.8 acres from LMDR to MDR and requests approval to develop an up to 63 dwelling units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

However, based on the Concurrency Management System Database, not all roadways within the project impact area operate at acceptable levels of service and capacity is not available to be encumbered.

- The subject property not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 13 pm peak hour trips.
- The proposed use will generate 17 pm peak hour trips resulting in a net increase of 4 pm peak hour trips.
- The subject property is located adjacent to Woodbury Road, a 2-lane Urban Class II road. Based on the Concurrency Management System (CMS) database dated 03-03-2020, this roadway currently operates at Level of Service D and capacity is available to be encumbered. All other roadway segments within the project impact area do not operate acceptable levels of service. This information is dated and is subject to change.
- Based on the concurrency management system database dated 03-03-2020, the following roadway segments are operating below the adopted level of service standard within the project impact area:
 1. Alafaya Tr. from Science Dr. to E Colonial Dr. and from Lake Underhill Rd to Curry Ford Rd

2. E Colonial Dr. from Avalon Park Blvd to South Tanner Rd
3. Lake Underhill Rd between Dean Rd and Rouse Rd
4. Woodbury Rd from Waterford Lakes Pkwy to E Colonial Dr.

This information is dated and subject to change.

- Background traffic was developed based on the larger of a 2% annual growth rate or historical AADT trends within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) conditions indicate that several roadway segments within the project area are projected to operate below the adopted level of service standard in the PM Peak Hour:
 1. Alafaya Tr. from Science Dr. to Golfway Blvd.
 2. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 3. E Colonial Dr. from Woodbury Rd to to Avalon Park Blvd
 4. Woodbury Rd from Lake Underhill Rd to E Colonial Dr.
- Analysis of long term analysis year (2030) indicated that the same deficiencies will continue on the current deficient roadway segments and the proposed project will NOT impact the failing segments. The following roadway segments are projected to operate below the adopted Level of Service standards:
 1. Alafaya Tr. from Science Dr. to Avalon Park Blvd.
 2. Avalon Park Blvd from E Colonial Dr. to Timber Springs/Crown Hill Rd
 3. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 4. Curry Ford Rd from Dean Rd to to Alafaya Tr.
 5. E Colonial Dr. from Rouse Rd to South Tanner Rd.
 6. Golfway Blvd from Woodbury Rd to Lone Palm Rd.
 7. Lake Pickett Rd from E Colonial Dr. to Kellygreen Drive/Seascape Ave.
 8. Woodbury Rd. from Golfway Blvd. to E Colonial Dr.

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips. These deficiencies can be attributed to background traffic. None of the net project trips per segment exceed the 3% of capacity significance level (highest @ 0.1%).

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

AMENDMENT 2020-1-S-4-1 (The Gardens at Waterford Lakes)

PROJECT SPECIFICS

Parcel ID:	26-22-31-0000-00-014
Location:	707 Woodbury Road; Generally located south of Lake Underhill Road, east of Woodbury Road, north of Woodbury Pines Circle, and east of Lexingdale Drive
Acreage:	1.8 (gross)
Request FLUM:	From: Low-Medium Density Residential (LMDR) To: Medium Density Residential (MDR)
Request Zoning:	From: R-2 (Residential District) To: PD (Planned Development)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 18 dwelling units
Proposed Density/Intensity:	Up to 63 dwelling units

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing FLUM Allowance: 18 MF DU	13	100%	13
Existing Use: Undeveloped			
Proposed Use: Up to 63 Senior Attached dwelling units	17	100%	17
Net New Trips (Proposed Development less Allowable Development): 17-13=4			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: Woodbury Road RCA. The widening of Woodbury Road to a four-lane divided roadway from Lake Underhill Road to State Road (SR) 50. The study will also evaluate improvements to the intersection of Waterford Lakes Parkway and Woodbury Road. The RCA study is anticipated to begin May 2020 and to be completed by the end of July 2021. Construction is anticipated to begin 2026 and be completed by 2028.

Right of Way Requirements: Yes, Right-of-way needed for Woodbury Road and Lake Underhill Road intersection improvements.

Summary

The applicant is requesting to change 1.8 acres from LMDR to MDR and requests approval to develop an up to 63 dwelling units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways.

However, based on the Concurrency Management System Database, not all roadways within the project impact area operate at acceptable levels of service and capacity is not available to be encumbered.

- The subject property not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 13 pm peak hour trips.
- The proposed use will generate 17 pm peak hour trips resulting in a net increase of 4 pm peak hour trips.
- The subject property is located adjacent to Woodbury Road, a 2-lane Urban Class II road. Based on the Concurrency Management System (CMS) database dated 03-03-2020, this roadway currently operates at Level of Service D and capacity is available to be encumbered. All other roadway segments within the project impact area do not operate acceptable levels of service. This information is dated and is subject to change.
- Based on the concurrency management system database dated 03-03-2020, the following roadway segments are operating below the adopted level of service standard within the project impact area:
 1. Alafaya Tr. from Science Dr. to E Colonial Dr.

2. Alafaya Tr. from Lake Underhill Rd to Curry Ford Rd
3. E Colonial Dr. from Avalon Park Blvd to South Tanner Rd
4. Lake Underhill Rd between Dean Rd and Rouse Rd
5. Woodbury Rd from Waterford Lakes Pkwy to E Colonial Dr.

This information is dated and subject to change.

- Background traffic was developed based on the larger of a 2% annual growth rate or historical AADT trends within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) conditions indicate that several roadway segments within the project area are projected to operate below the adopted level of service standard in the PM Peak Hour:
 1. Alafaya Tr. from Science Dr. to E Colonial Dr.
 2. Alafaya Tr. from E Colonial Dr. to Lake Underhill Rd.
 3. Alafaya Tr. from Lake Underhill Rd to Curry Ford Rd.
 4. Alafaya Tr. from Curry Ford Rd to Golfway Blvd
 5. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 6. E Colonial Dr. from Woodbury Rd to Lake Pickett Rd
 7. E Colonial From Lake Pickett Rd to Avalon Park Blvd
 8. Woodbury Rd from Lake Underhill Rd to Waterford Lakes Pkwy
 9. Woodbury Rd from Waterford Lakes Pkwy to E Colonial Dr.
- Analysis of long term analysis year (2030) indicated that the same deficiencies will continue on the current deficient roadway segments and the proposed project will NOT impact the failing segments. The following roadway segments are projected to operate below the adopted Level of Service standards:
 10. Alafaya Tr. from Science Dr. to E Colonial Dr.
 11. Alafaya Tr. from E Colonial Dr. to Lake Underhill Rd.
 12. Alafaya Tr. from Lake Underhill Rd to Curry Ford Rd.
 13. Alafaya Tr. from Curry Ford Rd to Golfway Blvd.
 14. Alafaya Tr. from Golfway Blvd to Avalon Park Blvd.
 15. Avalon Park Blvd from E Colonial Dr. to Waterford Chase Pkwy
 16. Avalon Park Blvd from Waterford Chase Pkwy to Timber Springs/Crown Hill Rd
 17. Challenger Parkway from Woodbury Rd to Ingenuity Dr.
 18. Curry Ford Rd from Dean Rd to Cypress Springs Pkwy
 19. Curry Ford Rd from Cypress Springs Pkwy to Alafaya Tr.
 20. E Colonial Dr. from Rouse Rd to Alafaya Tr.
 21. E Colonial Dr. from Alafaya Tr. to Woodbury Rd.
 22. E Colonial Dr. from Woodbury Rd to Lake Pickett Rd.
 23. E Colonial Dr. from Lake Pickett Rd to Avalon Park Blvd.
 24. E Colonial Dr. from Avalon Park Blvd to South Tanner Rd.
 25. Golfway Blvd from Woodbury Rd to Lone Palm Rd.
 26. Lake Pickett Rd from E Colonial Dr. to Percival Rd.
 27. Lake Underhill Rd from Rouse Rd to Alafaya Tr.
 28. Lake Underhill Rd from Alafaya Tr. to Woodbury Rd.
 29. Lake Underhill Rd from Woodbury Rd. to Kellygreen Drive/Seascape Ave.
 30. Woodbury Rd. from Golfway Blvd. to Lake Underhill Rd.
 31. Woodbury Rd. from Waterford Lakes Pkwy to E Colonial Dr.

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips. These deficiencies can be attributed to background traffic. None of the net project trips per segment exceed the 3% of capacity significance level (highest @ 0.1%).

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

AMENDMENT 2020-1-S-6-2 (4301 S Rio Grande Ave)

PROJECT SPECIFICS

Parcel ID:	10-23-29-6152-04-110
Location:	4301 S. Rio Grande Avenue; generally located east of S. Rio Grande Avenue and south of 43rd Street, west of S. Orange Blossom Trail.
Acreage:	0.30 (gross)
Request FLUM:	From: Low Density Residential (LDR) To: Low-Medium Density Residential (LMDR)
Request Zoning:	From: R-1A (Single-Family Residential District) To: R-1 (Single-Family Dwelling District)
Existing Development:	Undeveloped land
Development Permitted Under Current FLUM:	1 single-family home
Proposed Density/Intensity:	2 single-family homes

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowable Land Use: 1 SF DU	1	100%	1
Existing Use: Undeveloped land			
Proposed Use: 2 single-family homes	2	100%	2
Net New Trips (Proposed Development less Allowable Development): 2-1=1			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	A project is planned which will shift the eastbound approach north into the median to allow for construction of sidewalk from existing sidewalk on the south side of Texas Avenue to Rio Grande. The project also includes the construction of the sidewalk connection. Construction is anticipated to begin in April 2020 and be completed by the end of 2020.
Right of Way Requirements:	None

Summary

The applicant is requesting to change 0.30 acres from LDR to LMDR and requests approval to develop 2 single-family homes. Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed single-family dwelling units will result in an increase of 1 pm peak trips. However, based on the Concurrency Management System Database, all roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 1 pm peak hour trip.
- The proposed use will generate 2 new pm peak hour trip resulting in net increase of 1 pm peak hour trips.
- The subject property is located adjacent to S Rio Grande Ave., a 2-lane Urban Class II road. This facility currently does not have any deficient roadway segments within the project’s impact area.
- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along S Texas Ave. (North side), S Rio Grande Ave. (Both sides), 40th St (South side), 43rd St. (North side), 45th St. (North Side), and S Nashville Ave. (West side). There are also State maintained sidewalks along both sides of S Orange Blossom Tr. There exist marked crosswalks along Rio Grande Ave and along S Orange Blossom Tr within the impact area. There exists one marked crosswalk across Rio Grande Ave at 43rd St. LYNX bus links 441 FastLynx 441, 107 Downtown Orlando/Florida Mall, 8 W. Oak Ridge Rd./International Dr., 304 Lynx 3D: Rio Grande/ Vistana Resort, and 40 American Blvd./Universal Orlando service the area. There are (9) bus stops (4 sheltered) within the project area.

- There are not any bicycle routes/lanes within the project impact area.

Final permitting of any development on this site will be subject to further review and approval by Transportation Planning.

AMENDMENT 2020-1-S-6-3 (Waste Pro)

PROJECT SPECIFICS

Parcel ID:	34-22-29-6316-00-252
Location:	1400 S Orange Blossom Trail. Generally located west of S. Orange Blossom Trail, south of Indiana Street, north of West Miller Ave., east of south Rio Grande Ave.
Acreage:	1.94
Request FLUM:	From: Neighborhood Residential (NR) To: Commercial (C)
Request Zoning:	From: C-3 (Wholesale Commercial) To: N/A
Existing Development:	Waste Pro Offices
Development Permitted Under Current FLUM:	Up to 20 du/ac, 0.4 FAR
Proposed Density/Intensity:	Proposed: CNG Station Permitted: (1.5 FAR) 126, 759 sq. ft. commercial development

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowable use: 39 SF DU	39	100%	39
Existing Use: Waste Pro Offices			
Proposed Use: Proposed: CNG Station	648	67%	434
Permitted: (1.5 FAR) 126, 759 sq. ft. commercial development			
Trips calculated based on commercial development			
Net New Trips (Proposed Development less Allowable Development): 434-39=395			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 1.94 acres from NR to Commercial and requests approval to develop a Compressed Natural Gas station, truck parking and Waste Pro offices.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed commercial development will result in an increase in the number of pm peak trips and therefore impact the area roadways.

However, based on the Concurrency Management System Database, roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered.

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 39 pm peak hour trips.
- The proposed use will generate 434 new pm peak hour trips resulting in net increase of 395 pm peak hour trips.
- The subject property is located adjacent to S Orange Blossom Trail, a 4-lane Urban Class II road. This facility currently does not have any deficient roadway segments within the project’s impact area.
- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along Grand St. (Both sides between S Rio Grande Ave. and S Orange Blossom Tr., mixed in with city maintained sidewalks, with intermittent coverage to the East and West), S Rio Grande Ave. (both sides), Indiana St. (intermittent both sides), Lowrie Ave., Wilton Ave., W Miller Ave., S Nashville Ave., 18th St., and 19th St. (intermittent both sides). There also exist State maintained sidewalks along S Orange Blossom Trail (S of Grand St.). There exist marked

crosswalks along Orange Blossom Tr crossing Grand St to the NorthEast and Indiana St adjacent to the site. Note the crosswalks across Indiana St are severely faded. LYNX bus links 304 Lynx 3D: Rio Grande/Vistana Resort, 36 Lake Richmond, 107 Downtown Orlando/Florida Mall, and 8 W Oak Ridge Rd./International Dr. service the area. There are eleven (11) bus stops (0 sheltered) within the project area.

- There are no dedicated bicycle routes/lanes within the project impact area.

AMENDMENT 2020-1-S-6-4 (Burroughs Drive)

PROJECT SPECIFICS

Parcel ID:	13-22-28-0000-00-044
Location:	Generally located south of Burroughs Court, west of Environs Boulevard and east of N. Hiawassee Road.
Acreage:	1.42 (gross)
Request FLUM:	From: Medium Density Residential (MDR) To: Commercial (C)
Request Zoning:	From: C-1 (Retail Commercial District) To: N/A
Existing Development:	Undeveloped land
Development Permitted Under Current FLUM:	Up to 28 dwelling units
Proposed Density/Intensity:	Up to 14,000 square feet of C-1 (Retail Commercial District) uses

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Allowable Development: 28 SF DU	28	100%	28
Existing Use: Undeveloped land			
Proposed Use: Up to 14,000 square feet of C-1 (Retail Commercial District) uses	127	56%	71
Net New Trips (Proposed Development less Allowable Development): 71-28=43			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 1.42 acres from MDR to Commercial and requests approval to develop Up to 14,000 square feet of C-1 (Retail Commercial District) uses.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed commercial development will result in an increase in the number of pm peak trips and therefore impact the area roadways.

However, based on the Concurrency Management System Database:

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 28 pm peak hour trip.
- The proposed use will generate 71 new pm peak hour trips resulting in net increase of 43 pm peak hour trips.
- The subject property is located adjacent to N Hiawassee Rd., a 2-lane Urban Class I road. This facility currently does have deficient roadway segments within the project’s impact area. Powers Dr. from Silver Star Rd. to North Lane is currently operating above the Maximum Service Volume in the pm peak hour.
- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along N Hiawassee Rd. (both sides), Redwood Oaks Dr. (both sides), Livewood Oaks Dr. (both sides), and Hickory Branch Cr. (South side). There also exist State maintained sidewalks along both sides of Silver Star Rd. There exist marked crosswalks at the intersection of N Hiawassee Rd and Silver Star Rd to the SouthWest of the site. To the SouthEast, crosswalks exist on Silver Star Rd crossing Sandy Ln and Healy Dr. No crosswalks exist along or across Environs Blvd (where the site is located). LYNX bus links 44 Clarcona/Zellwood, 48 W Colonial Dr./Park Promenade Plaza, 125 Silver Star Road Crosstown, 443 Lee Rd. Crosstown, and 301 LYNX 3D: Pine Hills/Animal Kingdom service the area. There are eleven (11) bus stops (5 sheltered) within the project area.

- There are signed and dedicated bicycle lanes within the project impact area, on Silver Star Rd to the west of N Hiawasse Rd.

AMENDMENT 2020-1-S-6-5 (Truck Parking)

PROJECT SPECIFICS

Parcel ID:	30-22-29-6244-03-070; -050
Location:	318, 324 Metcalf Ave. Located South of Old Winter Garden Road; West of Tremont Ave; West of Ring Road; North of Huppel Ave.
Acreage:	0.23
Request FLUM:	From: Low Density Residential (LDR) To: Industrial (IND)
Request Zoning:	From: R-1 (Single-Family Dwelling District) To: I-2/I-3 (Industrial District)
Existing Development:	Single-family residence, undeveloped parcel
Development Permitted Under Current FLUM:	1 Single-family residence
Proposed Density/Intensity:	Proposed: truck parking Permitted: (.75 FAR) 7,514 sq. ft. commercial/industrial development

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Current FLUM Allowance: 1 SF DU	1	100%	1
Existing Use: Single-family residence, undeveloped parcel			
Proposed Use: Proposed: truck parking	80	56%	45
Permitted: (.75 FAR) 7,514 sq. ft. commercial/industrial development			
Net New Trips (Proposed Development less Allowable Development): 45-1=44			

Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 0.23 acres from LDR to Industrial and requests approval to develop truck parking. Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed use will result in an increase in the number of pm peak trips and therefore impact the area roadways. However, based on the Concurrency Management System Database, roadways within the project impact area do operate at acceptable levels of service and capacity is available to be encumbered. Note the following;

- The subject property is located within the County’s Alternative Mobility Area.
- The allowable development based on the approved future land use will generate 1 pm peak hour trip.
- The proposed use will generate 45 new pm peak hour trips resulting in net increase of 44 pm peak hour trips.
- The subject property is located adjacent to Metcalf Road, a 2-lane road (closest classified roadway is Old Winter Garden Rd., a 4-lane Urban Class I road). This facility currently does not have any deficient roadway segments within the project’s impact area.
- The following is a list of alternative modes within the project area: There are existing county maintained sidewalks along Old Winter Garden Rd. (both sides) and Ring Rd. (sparse, just S of Old Winter Garden Rd.). There are no existing crosswalks within the impact area. LYNX bus link 54 Old Winter Garden Rd. services the area. There are (3) bus stops (0 sheltered) within the project area.
- There are not any bicycle routes/lanes within the project impact area.



Interoffice Memorandum

Date: February 5, 2020
To: Alberto A. Vargas, MArch, Manager
Orange County Planning Division
From: J. Andres Salcedo, P.E., Deputy Director
Utilities Engineering Division

*J. Andres Salcedo
2/12/20*

**Subject: Facilities Analysis and Capacity Report
2020-1 Small Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Lindy Wolfe at 407 254-9918.

cc: Raymond E. Hanson, P.E., Director, Utilities Department
Lindy Wolfe, P.E., Assistant Manager, Utilities Engineering Division *lw 2/12/20*
Laura Tatro, P.E., Chief Engineer, Utilities Engineering Division *LT 2/11/2020*
Gregory Golgowski, Chief Planner, Planning Division
Misty Mills, Planner, Planning Division
File: 37586; 2020-1 Small Cycle

Potable Water and Wastewater Facilities Analysis for 2020-1 Small Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2020-1-S-1-1 (Wadina Office Project)	28-22-28-6689-13-190	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 12-inch water main within Old Winter Garden Rd right-of-way Not currently available, 8-inch gravity main near the intersection of Citrus Oaks and Azalea Ridge WW: Orange County Utilities RW: Not currently available	Office Building (O)			1,150	0.000	0.000	0.000	0.000	No	West
2020-1-S-1-2 (Buena Vista Commons)	15-24-28-1080-01-000	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within S Apopka Vineland Rd right-of-way 12-inch force main within S Apopka Vineland Rd right-of-way WW: Orange County Utilities RW: Not currently available	Activity Center Mixed Use (ACMU)			219,542	0.020	0.016	0.020	0.016	No	South
2020-1-S-1-3 (Luv N Care)	15-23-28-9340-01-030	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch watermain within Conroy-Windermere right-of-way WW: Not currently available RW: 12-inch reclaimed watermain within Conroy-Windermere right-of-way	Office (O); Rural Settlement (RS)			5,828	0.001	0.000	0.001	0.000	Yes	West
2020-1-S-1-4 (Sheen Villas)	05-24-28-5844-01-210	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 24-inch water main within Winter Garden Vineland Rd right-of-way WW: 16-inch foremain within Winter Garden Vineland Rd right-of-way RW: 16-inch reclaimed water main within Winter Garden Vineland Rd right-of-way	Planned Development (PD)	42			0.012	0.009	0.012	0.009	Yes	South
2020-1-S-2-1 (Smith Property)	15-21-28-3280-00-420	PW: City of Apopka WW: City of Apopka RW: City of Apopka	PW: Contact City of Apopka WW: Contact City of Apopka RW: Contact City of Apopka	Commercial (C)			800	N/A	N/A	N/A	N/A	N/A	N/A
2020-1-S-2-2 (Jolieview Place)	11-21-28-0000-00-058	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within S Lake Pleasant Rd right-of-way 8-inch gravity main within Wekiva Crossing Boulevard right-of-way RW: Not currently available	Low-Medium Density Residential (LMDR)	5			0.001	0.001	0.001	0.001	No	West
2020-1-S-2-3 (Kings Landing)	01-22-28-0000-00-009	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 10-inch water main within N Powers Drive right-of-way WW: 4-inch forcemain within N Powers right-of way, approx 500 ft south of the property RW: Not currently available	Low-Medium Density Residential (LMDR) and PD	70			0.019	0.016	0.019	0.016	No	West
2020-1-S-3-1 (Celenza Property)	14-23-30-5240-07-071; 073; 074	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within Hoffner Ave right-of-way 4-inch forcemain near the intersection of Hoffner and Patch, 8-inch forcemain near the intersection of Hoffner and Distribution RW: Not currently available	Commercial			271,161	0.025	0.020	0.025	0.020	No	East
2020-1-S-3-2 (Valencia College Lane)	24-22-30-0000-00-005	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within Valencia College Lane right-of-way 6-inch forcemain within Valencia College Lane right-of-way RW: Not currently available	Planned Development - Medium High Density Residential (PD-C)	252			0.069	0.057	0.069	0.057	No	East
2020-1-S-3-3 (Carse Property)	06-23-30-1432-02-010; 030; 041	PW: Orlando Utilities Commission WW: City of Orlando RW: City of Orlando	PW: Contact Orlando Utilities Commission WW: Contact City of Orlando RW: Contact City of Orlando	Planned Development - Commercial/Medium Density Residential (PC-C/MDR)	37		15,000	N/A	N/A	N/A	N/A	N/A	N/A
2020-1-S-3-4 (2500 S. Bumby Ave)	06-23-30-1420-02-011	PW: Orlando Utilities Commission WW: City of Orlando RW: City of Orlando	PW: Contact Orlando Utilities Commission WW: Contact City of Orlando RW: Contact City of Orlando	Office (O) and P-O			1,900	N/A	N/A	N/A	N/A	N/A	N/A

Potable Water and Wastewater Facilities Analysis for 2020-1 Small Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2020-1-S-4-1 (The Gardens at Waterford Lakes)	26-22-31-0000-00-014	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 12-inch water main within Lake Underhill Rd right-of-way, 24-inch water main within Woodbury Rd right-of-way WW: 10-inch force main within Lake Underhill Rd right-of-way RW: Not currently available	Medium Density Residential (MDR) and PD	63			0.017	0.014	0.017	0.014	No	East
2020-1-S-5-1 (3210 Rouse Road Retail)	09-22-31-0000-00-004	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 24-inch water main within Rouse right-of-way WW: 20-inch forcemain within Rouse right-of-way, approximately 500 feet south of the property. 30-inch gravity main within Rouse right-of-way RW: Not currently available	Commercial (C-1)			15,000	0.001	0.001	0.001	0.001	No	East
2020-1-S-5-2 (E. Colonial Student Housing)	23-22-31-0000-00-004; 074; 010	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 30-inch water main within E Colonial right-of-way WW: 30-inch forcemain within E Colonial right-of-way RW: Not currently available	Planned Development - High Density Residential (PD-HDR)	210			0.058	0.047	0.058	0.047	No	East
2020-1-S-6-2 (430 S Rio Grande Ave)	10-23-29-6152-04-110	PW: Orlando Utilities Commission WW: Orange County Utilities RW: City of Orlando	PW: Contact Orlando Utilities Commission WW: Not currently available, 8-inch gravity main west of the intersection of Rio Grande and Texas RW: City of Orlando	Low-Medium Density Residential (LDMR) and R-1	2			NA	0.000	NA	0.000	No	South
2020-1-S-6-3 (Waste Pro)	34-22-29-6316-00-252	PW: Orlando Utilities Commission WW: Orange County Utilities RW: City of Orlando	PW: Contact Orlando Utilities Commission WW: 8-inch gravity sewer within Indiana St right-of-way RW: City of Orlando	Commercial (C)			21,827	N/A	0.002	N/A	0.002	No	South
2020-1-S-6-4 (Burroughs Drive)	13-22-28-0000-00-044	PW: Orlando Utilities Commission WW: Orange County Utilities RW: Orange County Utilities	PW: Contact Orlando Utilities Commission WW: 30-inch forcemain within N Hiwassee right-of-way, 8-inch gravity main adjacent to property RW: Not currently available	Commercial (C)			14,000	N/A	0.001	N/A	0.001	No	West
2020-1-S-6-5 (Truck Parking)	30-22-29-6244-03-070; 050	PW: Orlando Utilities Commission WW: Orange County Utilities RW: Orange County Utilities	PW: Contact Orlando Utilities Commission WW: 8-inch gravity sewer near the intersection of Ring Road and South Street RW: Not currently available	Industrial (IND)			7,514	N/A	0.001	N/A	0.001	No	West

NOTES:

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

*The site is outside the Urban Service Area, but abuts the Urban Service Area boundaries, and water and wastewater mains are located in the vicinity of the site. If the Urban Service Area boundary is expanded to encompass this site, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2, PW1.5.2, and the equivalent wastewater policies, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting process.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews;